
County of Loudoun
Department of Planning

MEMORANDUM

DATE: July 20, 2010

TO: Sophia Fisher, Project Manager
Land Use Review

FROM: Sarah Milin, Senior Planner
Community Planning

SUBJECT: SPEX 2008-0030 & CMPT 2008-0008 – T-Mobile Sterling 3rd Referral

BACKGROUND

T-Mobile Northeast LLC (T-Mobile) is requesting a Special Exception and Commission Permit to construct an eighty foot "stealth" bell tower telecommunications facility on property owned by Christ Our Savior Church in Sterling, Virginia. The 2.6-acre property is zoned CR-1 (Countryside Residential – 1) and is located on the west side of Potomac View Road (Route 637), just south of its intersection with Jefferson Drive and within the Jefferson Knolls subdivision. The site is located in the Suburban Policy Area (Potomac Community) and planned for residential uses (*Revised General Plan, Chapter 7, Planned Land Use Map*).

Community Planning staff previously commented on the application on May 14, 2009 and September 3, 2009, and attended a community meeting to discuss the proposal on September 29, 2009. The Applicant subsequently redesigned the proposed communications facility from an 80-foot stealth light pole to a freestanding bell tower design of the same height in order to be more compatible with the existing residential character of the surrounding area. The proposed bell tower will contain the telecommunications antennas and related cables within the structure, proposed to be located on an existing grass island within the parking lot just west of the Church. A separate fenced equipment compound (23' x 38') containing three T-Mobile equipment cabinets and two future carrier lease areas is proposed in the southwest corner of the site. The proposed ground mounted equipment will be screened by landscaping and will be connected to the antennas by underground wiring. In order to meet setback and parking space requirements of the Zoning Ordinance, six existing parking spaces will be removed to accommodate the equipment compound. They will be replaced by four parking spaces elsewhere on the property. Per the revised Statement of Justification, the Applicant will request landscape buffer waivers for the front and side (east) yards of the facility since installing the required buffer yards would inhibit driving in the parking lot if they were to be installed. The Applicant will also request a modification of Section 5-1413 (B)(3) and (4) which requires a minimum 6-foot wide landscape island at the end of every row of parking that contains a canopy tree.

Staff has reviewed the most recent submittal dated July 1, 2010. Although the Applicant has redesigned the proposed telecommunications facility to one that is more compatible with the surrounding residential area, the design and visual impact of the proposed structure remains an outstanding issue. Staff recommends that the proposed bell tower design be revised to be more

compatible with the design, scale, proportion, color, materials and architecture of the existing church. A second community meeting, as alluded to in the response letter, should be held prior to this application moving forward to allow adjoining property owners and affected homeowner/condominium associations the opportunity to comment on the revised design. This referral is intended to be supplementary to previous referrals.

OUTSTANDING ISSUES

The Telecommunications Plan establishes a hierarchy of preferred locations for new commercial public telecommunication facilities in the Suburban Policy Area. The County's first preference for new telecommunication facilities is to collocate on existing tall structures (e.g., buildings, water tanks, overhead utility transmission line structures, etc.), other monopoles and towers in order to minimize the need for new structures (*Telecommunications Plan, Countywide Location Policies, Policy 1*). When a telecommunications antenna cannot locate on an existing tall structure for technical or location reasons, the County then prefers that new towers or monopoles be located where they are most compatible with surrounding uses. The second level of preferred locations is as follows:

1. In planned and zoned industrial and employment areas;
2. Within overhead utility transmission line rights of way where structures greater than 80 feet in height already exist; and,
3. On public sites or volunteer fire or rescue company properties where such facilities mitigate adverse impacts on the character and use of the public or public safety site (*Telecommunications Plan, Countywide Location Policies, Policy 2*).

The proposed site is not one of the County's preferred locations for new commercial public telecommunication facilities and, due to its location within an established residential area, will likely have adverse visual impacts on surrounding land uses. In response to previous staff comments, the Applicant has provided information demonstrating that alternative sites (such as the Old Dominion University Building at Mirror Ridge, the Sterling Park Safety Center, and the existing utility poles that line Potomac View Road) are not feasible and that the proposed facility has been designed to the minimum height necessary. To address visual impact and incompatibility concerns, the Applicant has revised the proposed stealth design of the telecommunications facility from a light pole to a bell tower to better blend with the surrounding residential architecture. According to their response letter, the proposed antennas will be completely concealed within a bell tower in order to mitigate the visual impact on surrounding homes. The tower elevation drawings on Sheet Z-4 indicate that the structure will consist of three vertical poles placed approximately 7 feet apart in a triangular pattern with the top of the tower extending to a height of eighty feet, with the T-Mobile antennas mounted within the bell tower at an elevation of 76 feet. An additional two carriers could be accommodated at elevations of 56 and 66 feet. The proposed equipment compound located in the southwest corner of the site will be surrounded by an 8-foot board-on-board wood fence and a 25-foot landscape buffer to the sides and rear of the property to help minimize the visual impact.

The proposed stealth design of the telecommunications facility as a bell tower blends more effectively into the context of the existing church property than the previously proposed light pole facility. However, staff finds that the proposed bell tower will still create negative visual

impacts on surrounding land uses due to the 80-foot proposed height of the facility and proximity of existing residences. Although the primary visual effect of the facility will be to adjacent residences along Jefferson Drive and Palisade Parkway, other residential areas both east and west of Potomac View Road will have year-round views of the proposed bell tower, as shown in the submitted materials.

The proposed site is not considered to be one of the County's preferred locations for new commercial public telecommunication facilities as described in the Telecommunications Plan. Community Planning staff recommends that an alternative bell tower design be explored that is more compatible with the design, scale, proportion, color, materials and architecture of the existing church. Enhanced, year-round vegetation should be provided along the western and southern sides of the equipment compound to minimize the visual impacts of this facility from adjacent residential dwellings. A second community meeting with affected property owners and homeowner/condominium associations could help refine the design of the proposed telecommunications facility.

Appropriate conditions of approval should be developed once the design of the bell tower is finalized including: that bollards will be installed to protect the fencing of the front yard of the compound; that the bell tower will contain interior mounted antennas that are concealed from view; the use of non-reflective paint, etc.

Lastly, staff requests information and/or clarification regarding whether the proposed structure will be a functioning bell tower and if an outdoor pavilion area will be provided at the base of the structure for use by the Church.

RECOMMENDATIONS

The proposed site is not considered to be one of the County's preferred locations for new commercial public telecommunication facilities as described in the Strategic Land Use Plan for Telecommunications Facilities. The proposed facility, within a residential neighborhood, has the potential to have adverse visual impacts on surrounding residential properties and neighborhoods. However, the Applicant has attempted to mitigate the visual impacts through the stealth design of the facility, though additional design considerations are recommended. Until these issues are resolved, Community Planning staff cannot support the proposal. Staff would be happy to meet with the Applicant to discuss these recommendations further.

CC: Julie Pastor, AICP, Director, Planning
John Merrithew, AICP, Assistant Director-via email

County of Loudoun
Department of Planning
MEMORANDUM

DATE: September 3, 2009

TO: Sophia Fisher, Project Manager
Land Use Review

FROM: Sarah Milin, Senior Planner
Community Planning

SUBJECT: SPEX 2008-0030 & CMPT 2008-0008 – T-Mobile Sterling 2nd Referral

BACKGROUND

T-Mobile Northeast LLC (T-Mobile) is requesting a Special Exception and Commission Permit to construct an eighty (80) foot “stealth” light pole telecommunications facility on property owned by Christ Our Savior Lutheran Church in Sterling, Virginia. The 2.6-acre property is zoned CR-1 (Countryside Residential – 1) and is located on the west side of Potomac View Road (Route 637), just south of its intersection with Jefferson Drive. It is within the Jefferson Knolls subdivision, which contains large lot, single-family detached residences that were primarily constructed during the 1970s. The proposed telecommunications facility will be located in the southwest corner of the property in an area currently being used for church parking. The facility has been designed to resemble a light pole with the proposed antennas and related cables concealed within the pole. It will be surrounded by an +/- 872 square foot fenced equipment compound containing three T-Mobile equipment cabinets on a 10 foot by 20 foot concrete pad and two future carrier lease areas. New plantings will be provided to serve as a vegetative buffer.

The Applicant has responded to Community Planning’s 1st Referral dated May 14, 2009 by providing a response letter and revised plat sheets. While several issues are considered resolved, others remain outstanding and should be addressed to ensure that the intent of the Revised General Plan is being met with the proposed project. The outstanding issues are summarized below. This referral is intended to be supplementary to the first referral.

OUTSTANDING ISSUES

The Telecommunications Plan establishes a hierarchy of preferred locations for new commercial public telecommunication facilities in the Suburban Policy Area. The County’s first preference for new telecommunication facilities is to collocate on existing tall structures (e.g., buildings, water tanks, overhead utility transmission line structures, etc.), other monopoles and towers in order to minimize the need for new structures (*Telecommunications Plan, Countywide Location Policies, Policy 1*). When a telecommunications antenna cannot locate on an existing tall structure for technical or location reasons, the County then prefers that new towers or monopoles be located where they are most compatible with surrounding uses. The second level of preferred locations is as follows:

1. In planned and zoned industrial and employment areas;

2. Within overhead utility transmission line rights of way where structures greater than 80 feet in height already exist; and,
3. On public sites or volunteer fire or rescue company properties where such facilities mitigate adverse impacts on the character and use of the public or public safety site (*Telecommunications Plan, Countywide Location Policies, Policy 2*).

In the first referral, staff found that the proposed site is not one of the County's preferred locations for new commercial public telecommunication facilities. Staff also raised significant concerns that the proposed telecom facility will be incompatible with surrounding land uses given its location within a predominantly residential neighborhood. Staff requested that the Applicant provide information demonstrating that alternative sites are not possible, including the Old Dominion University Building at Mirror Ridge and the Sterling Park Safety Center, and that the proposed facility has been designed to the minimum height necessary. Staff further recommended that if a lower height is feasible, the Applicant explore other options, such as a stealth design church steeple or collocation on the existing utility poles that are located along Potomac View Road.

According to the response letter, both the Old Dominion University Building at Mirror Ridge and the Sterling Park Safety Center are too close to existing T-Mobile sites and are outside of the desired coverage area. The Applicant further states that the facility has been designed to the minimum height necessary and that they explored using a stealth steeple design at the church but found it structurally inadequate to support a steep facility. Lastly, there are no other sufficiently tall structures in the surrounding search area.



Vicinity Map

The County seeks to balance the public demand for commercial public telecommunication service with the County's desire to avoid proliferation of towers and monopoles (*Telecommunications Plan, Introduction text*). In this case, the Applicant seeks to provide improved wireless telecommunications coverage in the Cascades area of Sterling, including Potomac View Road, Palisades Parkway and the surrounding area. The submitted propagation

maps indicate that the proposed site will improve in-building coverage; in-vehicle coverage is already available in the area. Although a “stealth” light pole was chosen in an attempt to mitigate visual impacts, the site is located within a predominantly residential area. In this case, staff finds that the anticipated improvements in telecommunications services do not justify the significant impacts on residents and nearby land uses that are likely with the proposed facility.

The proposed site is not considered to be one of the County’s preferred locations for new commercial public telecommunication facilities as described in the Telecommunications Plan. It is also incompatible with surrounding land uses and will have adverse visual impacts on several residential neighborhoods. For these reasons, Community Planning staff cannot support the proposal.

Should this application be considered further, staff recommends that the Applicant provide further commitments that will help mitigate the visual impact on the surrounding area to the greatest extent possible (such as additional plantings of mature, year-round vegetation along the western and southern sides of the equipment compound). To help refine these recommendations, staff recommends that the Applicant meet with adjacent property owners and community and homeowners association groups in the area who may be impacted by the proposed facility. According to the response letter, the Applicant will conduct such a meeting in September or October.

As an alternative, staff recommends that the Applicant explore placing telecommunications antennas on the existing utility poles that line the west side of Potomac View Road. In eastern Loudoun County, County policies encourage telecommunications antennas on light poles within the VDOT or Dulles Greenway right-of-way (Telecommunications Plan, Location Policy text). This technique has been successfully used in residential areas within portions of Fairfax County.

RECOMMENDATIONS

The proposed site is not considered to be one of the County’s preferred locations for new commercial public telecommunication facilities as described in the Strategic Land Use Plan for Telecommunications Facilities. The proposed facility, within a residential neighborhood, is incompatible with surrounding land uses and will have adverse visual impacts on several residential neighborhoods. For these reasons, Community Planning staff cannot support the proposal. Staff would be happy to meet with the Applicant to discuss these recommendations further.

CC: Julie Pastor, AICP, Director, Planning
Cindy Keegan, AICP, Program Manager, Community Planning-via email

County of Loudoun
Department of Planning
MEMORANDUM

DATE: May 14, 2009

TO: Sophia Fisher, Project Manager
Land Use Review

FROM: Sarah Milin, Senior Planner
Community Planning

SUBJECT: SPEX 2008-0030 & CMPT 2008-0008 – T-Mobile Sterling

BACKGROUND

The Applicant, T-Mobile, is requesting a Special Exception and Commission Permit to construct an eighty (80) foot "stealth" light pole telecommunications facility in the CR-1 (Countryside Residential – 1) zoning district. The subject site is owned by Christ Our Savior Lutheran Church and consists of two parcels within the Jefferson Knolls subdivision that front on Potomac View Road (Route 637), just south of its intersection with Jefferson Drive (see Vicinity Map). The Jefferson Knolls subdivision contains large lot, single-family detached residences that were primarily constructed during the 1970s. The proposed telecommunications facility will be located in the southwest corner of the property in an area currently being used for parking. It will replace an existing 25-foot light pole; the light fixture will be mounted on the pole at the previous height. The site contains a total of 2.6 acres and is predominantly surrounded by residential uses.



Vicinity Map

The proposed telecommunications facility resembles a light pole with the proposed antennas and related cables concealed within the pole. It will be designed to accommodate at least three providers. Its base will be surrounded by a 390 square foot

fenced equipment compound containing three T-Mobile equipment cabinets on a 10 foot by 20 foot concrete pad. New plantings will be provided to serve as a vegetative buffer.

The property is subject to the Revised 1993 Loudoun County Zoning Ordinance. In accordance with the Zoning Ordinance, a Commission Permit is required when a public utility or public service facility is constructed. A Commission Permit is used to determine if the general location, character, and extent of the proposed use is in substantial accord with the Comprehensive Plan (the 'Revised General Plan'). A Special Exception is also required for the proposed use within the CR-1 zoning district. In addition to the submitted plats and Statement of Justification, the application materials include a Phase 1 Environmental Site Assessment dated July 3, 2007, photo simulations, antenna description, and propagation maps.

A site visit and review of County GIS records indicates that existing vegetation and a well are located on the subject property. No floodplains or steep slopes are present.

COMPREHENSIVE PLAN CONFORMANCE

The site is located in the Potomac Community within the Suburban Policy Area and is governed under the policies of the Revised General Plan. The Revised General Plan designates this area for Residential uses (Revised General Plan, Chapter 7, Planned Land Use). The proposed use is specifically governed under the policies of the Strategic Land Use Plan for Telecommunications Facilities (the 'Telecommunications Plan').

The application has been reviewed under the Revised General Plan Suburban policies of Chapter 6, specifically the Residential policies, as well as the telecommunications policies in the Telecommunications Plan.

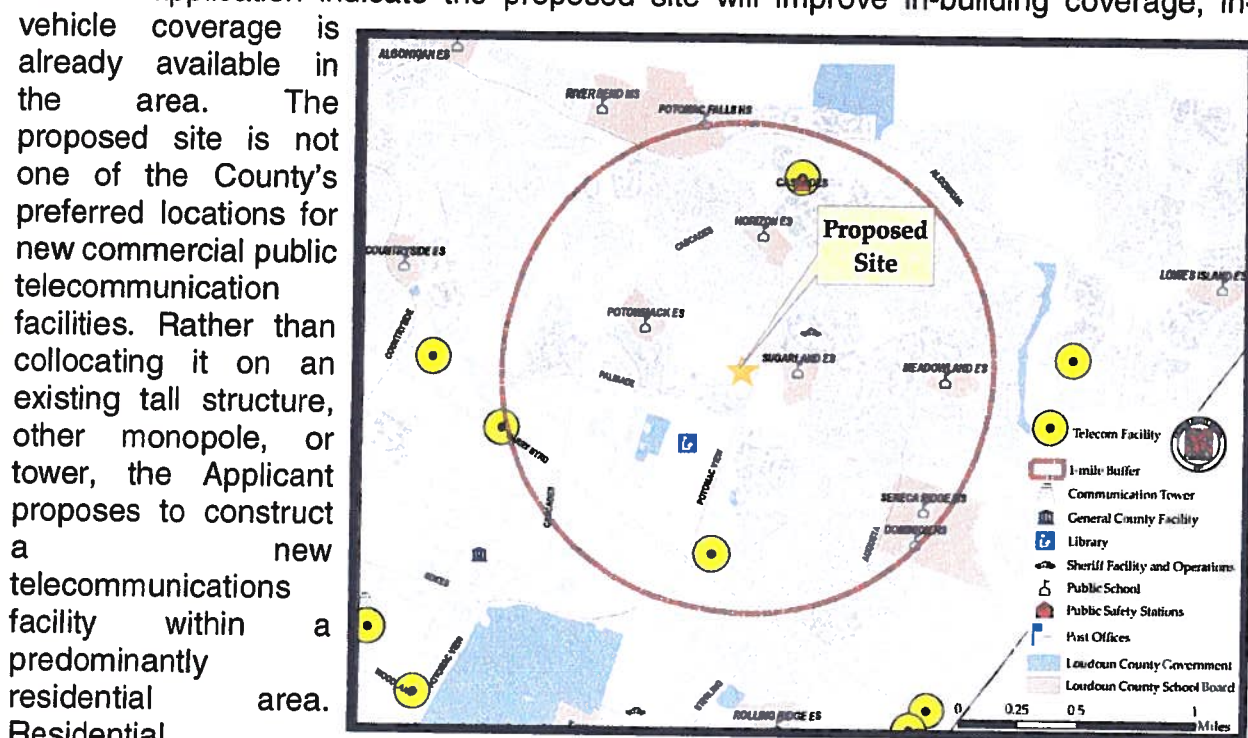
ANALYSIS

1. Location Policies

The Telecommunications Plan establishes a hierarchy of preferred locations for new commercial public telecommunication facilities in the Suburban Policy Area, such as the one being proposed in this application. The County's first preference for new telecommunication facilities is to collocate on existing tall structures (e.g., buildings, water tanks, overhead utility transmission line structures, etc.), other monopoles and towers in order to minimize the need for new structures (*Telecommunications Plan, Countywide Location Policies, Policy 1*). When a telecommunications antenna cannot locate on an existing structure for technical or location reasons, the County then prefers that new towers or monopoles be located where they are most compatible with surrounding uses as follows: (1) in planned and zoned industrial and employment areas; (2) within overhead utility transmission line rights of way where structures greater than 80 feet in height already exist; and (3) on public sites or volunteer fire or rescue company properties where such facilities mitigate adverse impacts on the character and use of the public or public safety site (*Telecommunications Plan, Countywide Location*

Policies, Policy 2). In eastern Loudoun County, the policies further encourage telecommunications antennas on light poles within the VDOT or Dulles Greenway right-of-way, and potentially on towers on existing low-rise heavy industrial buildings (*Telecommunications Plan, Location Policy text*).

The proposed site was selected by the Applicant to provide improved wireless telecommunications coverage in the Cascades area of Sterling, including Potomac View Road, Palisades Parkway, and the surrounding area. The propagation maps submitted with the application indicate the proposed site will improve in-building coverage; in-



Existing Telecommunications Facilities in the Site's Vicinity per County records

Residential neighborhoods are envisioned by the Plan to have a peaceful character suitable for private domestic life, recreational activities, and neighborhood social gatherings (*Revised General Plan, Chapter 11, Residential Neighborhoods Design Guidelines*). Although the Applicant has chosen a stealth light pole design, wood fencing, and a 20 to 30 foot landscape buffer in an attempt to mitigate visual impacts of the proposed monopole, the proposed structure will be visible from Potomac View Road as well as the surrounding residential subdivisions of Sugarland Run, the Arl-Keith and Arl subdivisions, Potomac Terrace, and Mirror Ridge. In particular, immediately adjacent residences within the Jefferson Knolls subdivision will experience significant visual impacts (see Proximity to Neighboring Properties map).

The Telecommunications Plan calls for applicants proposing new telecommunications facilities to provide information to the County demonstrating that location on an existing



Proximity to Neighboring Properties

tall structure greater than 50 feet in height is not feasible within a one mile radius of the proposed site in the Suburban Policy Area.

Technological, physical and economic constraints may be considered in determining unfeasibility, as described further in the Countywide Location Policy 5 in the Telecommunications Plan. According to the Statement of Justification, T-Mobile conducted a thorough review of the area for existing structures with sufficient height to meet the

enhanced coverage needs of its customers in the area. T-Mobile identified an existing structure, a 142 foot HAM radio tower on Oak Lane in Sterling, as a possibility and sent a request to the County for permission to attach its antennas to this tower. However, the County determined that the existing HAM tower was not legally established and thus could not be used by T-Mobile for this purpose. According to the Applicant, there are no other existing structures of sufficient height to meet the T-Mobile customers' needs in this area of the County.

Staff acknowledges that there appear to be few alternative locations within the immediate vicinity of the site given that it is a predominantly residential area. However, the Applicant has not sufficiently demonstrated that the proposed telecommunication antennas could not be located on existing tall structures or other monopoles within the vicinity of the subject site. For example, the Old Dominion University Building at Mirror Ridge, which currently contains several telecommunication facilities, is located approximately 0.6 miles southeast of the subject site. A series of existing sled-mounted panel antennas are located along the roof of the structure. Similarly, the existing telecommunications facility at the Sterling Park Safety Center is approximately 0.8 miles to the north.

The Telecommunications Plan also states that towers and monopole sites should be designed and constructed to the minimum height necessary to accommodate at least three provided and provide sufficient land area for additional equipment buildings unless doing so would create an unnecessary visual impact on the surrounding area, no additional need is anticipated for any potential user in this area, or there is some valid economic, technological, or physical justification as to why collocation is not possible (*Telecommunications Plan, Tower and Monopole Design, Policy 2*). Information has not been provided demonstrating that the proposed facility has been designed to the minimum height necessary. If a lower height is feasible, the Applicant may want to investigate other stealth designs that would more effectively mitigate the visual impact of the proposed structure on the surrounding residential uses, such as a stealth design church steeple or collocation on the existing utility poles that line the west side of Potomac View Road. The County's preference is to collocate telecommunication antennas on existing facilities and light poles wherever possible in order to control the proliferation of telecommunication sites and to mitigate their visual impact on the surrounding area (*Telecommunications Plan, Countywide Location Policies, Policy 1*).



View of the Christ Our Savior Lutheran Church Steeple and the Existing Utility Poles on Potomac View Road

The proposed site is not considered to be one of the County's preferred locations for new commercial public telecommunication facilities as described in the Telecommunications Plan. Staff requests that the Applicant provide additional information demonstrating that alternative sites are not possible, including the Old Dominion University Building at Mirror Ridge and the Sterling Park Safety Center, in order to control the proliferation of telecommunication sites and to mitigate the visual impact of the proposed facility on the surrounding area. Information should also be provided demonstrating that the proposed facility has been designed to the minimum height necessary in order to explore other options, such as a stealth design church steeple or collocation on existing utility poles. Lastly, staff encourages the Applicant to meet with adjacent property owners and community and homeowners association groups in the area who may be affected.

2. DESIGN GUIDELINES AND VISUAL IMPACT

The Telecommunications Plan calls for design standards to mitigate the visual impacts of commercial public telecommunications facilities so as to “blend with the natural and built environment of the surrounding area” (*Telecommunications Plan, Countywide Visual Impacts, Policy 1*). The Plan directs that specific attention be paid to issues pertaining to the setting, color, lighting, topography, materials, and architecture to mitigate the potential visual impact of telecommunication facilities. Antennas and other telecommunication devices should be neutral in color to blend with the background, unless specifically required by the FAA to be painted or lighted otherwise (*Telecommunications Plan, Countywide Visual Impacts, Policy 2*). Accessory structures and equipment buildings should also blend with the surrounding environment through the use of appropriate color, texture of materials, scale, landscaping, and visual screening (*Telecommunications Plan, Countywide Visual Impacts, Policy 3*).

The application includes an elevation view depicting the proposed 80-foot stealth light pole and the proposed 8-foot board-on-board fence (Sheet Z-3) as well as a landscaping plan (Sheet Z-4). In addition to preserving the existing, mature vegetation, new plantings are proposed to supplement the existing landscaping in order to meet the front, rear and side yard buffers of the Revised 1993 Loudoun County Zoning Ordinance. According to the Statement of Justification, “the proposed light pole will be compatible with development in the vicinity with regards to setting, color, lighting, topography, materials and architecture. The antennas will be completely concealed within the light pole. This means of concealment is highly compatible with its proposed location at a church and in a residential area”. No information has been provided regarding what color(s) the proposed stealth light pole will be painted, including whether graduated shades of gray might be appropriate to better blend the appearance of the proposed monopole and to mitigate the visual impact on the surrounding area. Given the nearby proximity of adjacent residences, it also may be appropriate to commit to enhanced landscaping that exceeds Zoning Ordinance requirements including the preservation of existing vegetation and the provision of additional evergreen trees and shrubs.

Staff finds that although the Applicant has chosen a stealth light pole design for the proposed telecommunications facility, a negative visual impact will be created on the surrounding residential areas. Staff recommends that additional commitments be provided in order to mitigate the visual impact on the surrounding area to the greatest extent possible. A community meeting, as recommended above, could help to further refine these recommendations.

3. SAFETY AND HEALTH POLICIES

Plan policies state “an applicant or its successors shall remove all unused structures and facilities from a commercial public telecommunications site, including towers and

monopoles, within 90 days of cessation of commercial public telecommunications use or the expiration of the lease, whichever occurs first, and the site should be restored as closely as possible to its original condition" (*Telecommunications Plan, Safety and Health Policies, Policy 2*). Note #14 on Sheet Z-1 of the submitted plats states that "all antennas and related equipment cabinets shall be removed within 90 days after such antennas or related equipment cabinets or structures are no longer in use".

Staff recommends that the Applicant commit to removing all unused related telecommunications facilities and ground equipment from the site within 90 days of cessation of commercial public telecommunications use or the expiration of the ground lease, whichever occurs first, and restore the site as closely as possible to its original condition.

RECOMMENDATIONS

The proposed site is not considered to be one of the County's preferred locations for new commercial public telecommunication facilities as described in the Strategic Land Use Plan for Telecommunications Facilities. Staff requests that the Applicant provide additional information demonstrating that alternative sites are not practical or feasible. Given that the telecommunications facility is proposed within an established residential area, a community meeting as well as additional design commitments are also recommended. Lastly, the Applicant should commit to removal of all telecommunication equipment following cessation of use. Staff would be happy to meet with the Applicant to discuss these recommendations and/or design options.

CC: Julie Pastor, AICP, Director, Planning
Cindy Keegan, AICP, Program Manager, Community Planning-via email

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COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: July 20, 2010

TO: Sophia Fisher, Project Manager

THROUGH: Marilee Seigfried, Deputy Zoning Administrator

FROM: Nita Bearer, Planner, Zoning Administration

CASE NUMBER AND NAME: SPEX-2008-0030/CMPT-2008-0008
T-Mobile Sterling

LCTM/MCPI: /81/E/1////17/ 019-30-9383
/81/E/1////18/ 012-35-1587

PLAN SUBMISSION NUMBER: 2nd Referral

I. SECTION 5-618, TELECOMMUNICATIONS USE AND/OR STRUCTURES

5-618(B)(3)(a) The proposed telecommunications monopole shall be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture.

Provide the proposed color of the belltower on the plan.

II. SECTION 6-1310 SPECIAL EXCEPTION ISSUES FOR CONSIDERATION

6-1310(C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

Clarify whether a generator will be located within the compound, and, if so, how will any noise generated be alleviated.

III. SPECIAL EXCEPTION PLAT

1. Add the commission permit application number, CMPT-2008-0008, to the title sheet.
2. Because access will be through the adjacent property, add the parcel identification

number, 012-35-1587, to the "Parcel ID" under "Project Description" on the title sheet.

3. Correct the "Bulk Requirements for CR-1" table on the Site Survey sheet and the Special Exception Plat sheet to indicate that the minimum side yard setback is 9' instead of 25'. The required buffer is 25' which is noted on Sheet Z-6.

IV. OTHER ZONING COMMENTS

1. According to the Zoning Permits Division, the cross illustrated on the tower will be considered a sign and is not permitted.
2. According to Section 5-1403(C), the Board of Supervisors may modify the requirements of Section 5-1400 as part of an approval action of a special exception. Zoning staff recommends that the landscape plan be included for approval if it clearly illustrates the requested modifications/waiver. The applicant has requested modifications/waiver in the Statement of Justification. Zoning staff recommends that the requested waiver/modifications be clearly stated on the landscape plan to include the following:
 - a. Allow the required landscape buffer to surround the equipment compound only.
 - b. Waive the requirement for a front landscape buffer yard.
 - c. Locate bollards in the front of the compound as illustrated on the special exception plat.
 - d. Modify the east side landscape buffer yard to reduce the linear footage to only 35 LF from the rear property line.
 - e. Modify the requirement of a landscape island with a canopy tree required to be located in the landscape island on the north side of the relocated four parking spaces pursuant to Section 5-1413(B)(3) and (4).
3. The linear feet of the proposed buffer yards surrounding the compound need to be clarified. As illustrated, the buffer yards overlap the rear buffer yard. Revise the type 4 buffer yard table to reflect the correct linear feet of each buffer yard and the required, existing, and proposed plantings.
4. Please inform the applicant that, after approval of the special exception and commission permit plat is obtained, approval of a site plan and a building/zoning permit is required.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: August 12, 2009

TO: Sophia Fisher, Project Manager, Planning

THROUGH: Marilee Seigfried, Deputy Zoning Administrator

FROM: Nita Bearer, Planner, Zoning Administration

CASE NUMBER AND NAME: SPEX-2008-0030 & CMPT-2008-0008
T-Mobile Sterling

LCTM: /81/E/1////17/ & /81/E/1////18/
MCPI: 019-30-9383 & 012-35-1587

PLAN SUBMISSION NUMBER: 2nd Referral

I. APPLICATION SUMMARY

Zoning staff has reviewed the second submission of the above-referenced special exception & commission permit application for conformance with the Revised 1993 Loudoun County Zoning Ordinance. The parcels are zoned Countryside Residential-1 (CR-1). Special Exception SPEX-1990-0033 was approved to locate a church use on parcel 012-35-1587 with associated parking on parcel 019-30-9383. According to the plat, the proposed telecommunications facility will be located on parcel 019-30-9383 with access through parcel 012-35-1587. The materials submitted for review of the application consist of the following:

Response letter dated July 30, 2009
Revised plat dated 7/29/09

COMMENTS

1. Add the application number, SPEX-2008-0030 and CMPT-2008-0008, to the title page.
2. On sheets Z1 and Z2, remove the “_” from the minimum rear yard setback table in the table of CR1 bulk requirements and also on the illustration depicting the west side yard and rear yard. A minimum rear yard of 25’ must be provided according to 2-506(C)(3). The minimum rear buffer yard and the minimum side buffer yard is 25’ according to Section 5-1414(B), therefore they cannot be less than 25’.

3. As indicated in my previous comments, Section 5-1413(B)(3) and (4) requires a 6' wide landscape island at the end of each row of parking and a minimum of one canopy tree planted in each island. An island and canopy tree must be provided at the north end of the relocated parking spaces. If a waiver is requested pursuant to Section 5-1403(C), add a note to the Landscape Plan and provide the justification in the Statement of Justification.
4. Add a note on the Landscape Plan indicating that a modification of the linear footage of the east side buffer yard will be requested and add justification for the modification to the Statement of Justification.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: May 7, 2009

TO: Sophia Fisher, Project Manager, Planning

THROUGH: Marilee Seigfried, Deputy Zoning Administrator

FROM: Nita Bearer, Planner, Zoning Administration

CASE NUMBER AND NAME: SPEX-2008-0030 & CMPT-2008-0008
T-Mobile Sterling

LCTM: /81/E/1////17/ & /81/E/1////18/
MCPI: 019-30-9383 & 012-35-1587

PLAN SUBMISSION NUMBER: 1st Referral

I. APPLICATION SUMMARY

Zoning staff has reviewed the above-referenced special exception & commission permit application for conformance with the Revised 1993 Loudoun County Zoning Ordinance. The parcels are zoned Countryside Residential-1 (CR-1). Special Exception SPEX-1990-0033 was approved to locate a church use on parcel 012-35-1587 with associated parking on parcel 019-30-9383. According to the plat, the proposed telecommunications facility will be located on parcel 019-30-9383 with access through parcel 012-35-1587. The materials submitted for review of the application consist of the following:

1. Information Sheet
2. Statement of Justification dated 3/5/2009
3. Plat revised through 3/2/2009

II. CONFORMANCE WITH SECTION 5-618 TELECOMMUNICATIONS USE AND/OR STRUCTURES

1. On page 2 of the Statement of Justification, the applicant has indicated in 5-618(A)(5) that panel antennas shall not exceed 5' in height. The permitted height of panel antennas is now 10'.
2. On page 4 of the Statement of Justification in Section 5-618(B)(3)(a), the applicant

indicated that the compound will be concealed by a 7' wood fence. The Equipment Layout illustrated on Sheet Z-3 of the plat indicates that an 8' board-on-board fence is proposed.

3. Section 5-618(B)(3)(b) requires new telecommunication monopoles to be designed to accommodate at least 3 providers with exceptions. The illustration of the monopole on Sheet Z-3 provides space for two additional providers. As there is not sufficient area in the proposed location for expansion of the proposed compound, clarify whether there will be sufficient space in the compound to accommodate the equipment of two additional providers. The cabinets illustrated on Sheet Z-3 are labeled for T-Mobile use.

III. ZONING COMMENTS:

1. The proposed telecommunications facility will be located only on the parcel identified as MCPI 019-30-9383. All calculations must be based on the size of this parcel which is 1 acre or 43,560 sf.
2. According to the plat, access to the site will be from the adjacent parcel identified as MCPI 012-35-1587. Clarify whether an access easement will be granted for the telecommunications facility.
3. Pursuant to Section 1-205(C)(1), the front yard shall be the portion nearest the street. Therefore, the proposed rear yard is not in compliance with Section 2-506(C)(3) which requires a 25' rear yard.
4. On sheet Z1 and Z2, correct the table of the building requirements of the CR-1 zoning district to reflect that, according to Section 2-509(B), the maximum permitted building height is 40'.
5. Because parking spaces will be removed to locate the telecommunications facility on the parcel, add a table of the parking requirements of each use to the plat, indicating the number of parking spaces required for each use and the number existing and proposed.
6. Pursuant to Section 5-1414(B), the required width of the side and rear landscape buffer yards is 25' minimum, 30' maximum and the front buffer landscape buffer yard is 20'. Correct the illustration of the facility on the landscape plan providing the required buffer yards based on the yard nearest the street as the front buffer yard. Please note that, according to Section 5-1403(C), at the time of action on the special exception by the Board of Supervisors, a modification of the landscape buffer yards may be requested. The request must be included in the advertisement and the action must be included in the copy teste.
7. Correct the "Buffer Yard Type 4" table on the landscape plan to reflect the correct buffer yards and recalculate the required plantings. Also provide the linear footage of each buffer yard.
8. On sheets Z1 and Z2, correct the table of the requirements of Section 5-618 to reflect that the required setback for a 199' monopole is 40' and the maximum permitted height of a panel antenna is 10'. Also remove the +/- from the proposed setback.
9. Add a note to the plat indicating that the site will be in compliance with Section 5-1504, Light and Glare Standards.
10. The illustration on Sheet Z-2 indicates that the landscape island located on the southwest side of the row of parking located in the center of the parcel will be removed. Section 5-1413(B)(3) requires a minimum 6' wide landscape island at the end of every row of parking, equal in length to the adjoining parking space.

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: May 8, 2009

TO: Sophia Fisher, Project Manager
Department of Planning

FROM: Marc Lewis-DeGrace, Transportation Planner

SUBJECT: CMPT 2008-0008, SPEX 2008-0030— T-Mobile Sterling
First Referral

Background

These Commission Permit (CMPT) and Special Exception (SPEX) applications request approval to install an 80-foot monopole and an associated equipment shelter in the Countryside Residential (CR-1) zoning district. The subject site totals approximately 390 square feet in size and is within the parking lot of an existing property (Christ Our Savior Church) located at the southwest corner of the intersection of Potomac View Road (Route 637) and Jefferson Drive (Route 839). Access to the site is from Jefferson Drive, through the existing church parking area. A vicinity map is provided as *Attachment 1*.

In its consideration of these applications, the Office of Transportation Services (OTS) reviewed materials received from the Department of Planning on March 6, 2009, including (1) a statement of justification prepared by the Applicant, and (2) a special exception plat (a plan set) prepared by Dewberry-Goodkind, Inc., dated March 2, 2009.

Existing, Planned and Programmed Transportation Facilities

The site is located within the Suburban Policy Area (Potomac Community). Major roadways serving the site are described below. OTS review of existing and planned transportation facilities is based on the 2001 Revised Countywide Transportation Plan (2001 Revised CTP) and the 2003 Bicycle & Pedestrian Mobility Master Plan (2003 Bike & Ped Plan).

Potomac View Road (Route 637) is classified by the 2001 Revised CTP as a controlled access minor collector road. Potomac View Road has been constructed to its ultimate four-lane divided (R4M) condition. In the vicinity of the site, the intersections of Potomac View Road/Palisade Parkway and Jefferson Drive/Sugarland Run Drive are signalized. The 2003 Bike & Ped Plan classifies Potomac View Road as "baseline connecting roadway" along which bicycle and pedestrian facilities are envisioned. Currently there is an asphalt trail along the west side of Potomac View Road and a sidewalk on the east side of the road in the vicinity of the site.

Jefferson Drive (Route 839) is a two-lane (R2) local secondary road, which intersects Potomac View Road (opposite Sugarland Run Drive) at a signalized intersection. As a local road it provides local access to the neighborhood and is not part of the CTP network.

Trip Generation by Proposed Use

Telecommunications such as the proposed monopole typically generate a total of one (1) vehicle trip per carrier per month for maintenance purposes. Based on the submitted materials, only one carrier is currently proposed on this facility, but the facility has the capacity to accommodate up to four (4) carriers, which would generate a total of four (4) vehicle trips per month.

Transportation Comments

1. The proposed use will not generate a significant amount of traffic and thus road improvements are not requested from this applicant.

Conclusion

OTS has no objection to the approval of these applications.

ATTACHMENT

1. Site Vicinity Map

cc: Andrew Beacher, Assistant Director, OTS
Lou Mosurak, Senior Transportation Planner, OTS

May 4, 2009

Sophia Fisher, Project Manager
County of Loudoun
Department of Planning
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: T-Mobile Sterling
Loudoun County Plan Number SPEX-2008-0030, CMPT 2008-0008

Dear Ms. Fisher:

We have reviewed the referenced application as requested in your April 3, 2009 memorandum and we have no objection to approval of the Special Exception and Commission Permit.

If you have any questions, please call me at (703) 383-2041.

Sincerely,

Thomas B. Walker
Senior Transportation Engineer

ATTACHMENT 1 

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6 April 2009

MEMORANDUM TO: Sophia Fisher, Project Manager
Department of Planning, **MSC 62**

FROM: Matthew D. Tolley
Sr. Env. Health Specialist
Division of Environmental Health, **MSC 68**

SUBJECT: **SPEX 2008-0030 & CMPT 2008-0008; T-Mobile
Sterling
LCTM: 81E ((1)) 18 (PIN 012-35-1587)**

The Health Department recommends approval of this application. All facilities regulated by this Department have been abandoned. No new facilities of concern are being proposed. The plat reviewed was prepared by Dewberry and was revised 2 March 2009.

Attachments Yes ____ No X

If further information or clarification on the above project is required, please contact Matt Tolley at 771-5248.

MDT/JEL/mt
c:subdvgd.ref

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I, M. Colleen Canovas, do hereby state that I am an

 Applicant

X Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): SPEX 2008-0030, CMPT 2008-0008

and that to the best of my knowledge and belief, the following information is true:

C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS

1. REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all AGENTS of any of the foregoing.

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (Listed in bold above)
019-30-9383	Christ our Savior Lutheran Church	46611 Jefferson Drive, Sterling, VA 20165	Owner
	T-Mobile Northeast LLC Amy Bird	12050 Baltimore Ave., Beltsville, MD 20705	Applicant
	Donohue & Stearns, PLC M. Colleen Canovas Edward L. Donohue	201 Royal St. SE, Suite E Leesburg, VA 20175	Agent for Applicant
	Entrex Communication Services, Inc.	6600 Rockledge Dr., Suite 550 Bethesda, MD 20817	A & E for Applicant

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

 There are additional Real Parties in Interest. See Attachment to Paragraph C-1.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Christ Our Savior Lutheran Church, 46611 Jefferson Dr., Sterling, VA 20165

Description of Corporation:

X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME <i>(First, M.I., Last)</i>	SHAREHOLDER NAME <i>(First, M.I., Last)</i>
John P Held (Trustee)	
Dallas K Cecil (Trustee)	

Names of Officers and Directors:

NAME <i>(First, M.I., Last)</i>	Title <i>(e.g. President, Treasurer)</i>
Rev. Thomas Zarling	Pastor
John Held	President
Dallas K Cecil	Secretary/Treasurer
Jason Pertoso	Financial Secretary
Mario Carromba	Operations

Check if applicable:

 There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

T-Mobile Northeast LLC, 12050 Baltimore Ave., Beltsville, MD 20705

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
T-Mobile USA, Inc.	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☒ There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

T-Mobile USA, Inc. 12920 SE 38th St., Bellevue, WA 98006

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME <i>(First, M.I., Last)</i>	SHAREHOLDER NAME <i>(First, M.I., Last)</i>
T-Mobile Global Holding GmbH	

Names of Officers and Directors:

NAME <i>(First, M.I., Last)</i>	Title <i>(e.g. President, Treasurer)</i>

Check if applicable:

☒ *There is additional Corporation Information. See Attachment to Paragraph C-2.*

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

T-Mobile Global Holding GmbH, Kennedyville 1-5, 53175 Bonn, Germany

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME <i>(First, M.I., Last)</i>	SHAREHOLDER NAME <i>(First, M.I., Last)</i>
T-Mobile Global Zwischenholding GmbH	

Names of Officers and Directors:

NAME <i>(First, M.I., Last)</i>	Title <i>(e.g. President, Treasurer)</i>

Check if applicable:

☒ *There is additional Corporation Information. See Attachment to Paragraph C-2.*

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

T-Mobile Global Zwischenholding GmbH, Friedrich-Ebert-Allee 140, 53113 Bonn, Germany

Description of Corporation:

X There are 100 or fewer shareholders and all shareholders are listed below.

_____ There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

_____ There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

_____ There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Deutsche Telekom AG	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

X There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Deutsche Telekom AG, Friedrich-Ebert-Allee 140, D-53111 Bonn, Germany

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME <i>(First, M.I., Last)</i>	SHAREHOLDER NAME <i>(First, M.I., Last)</i>
Federal Republic of Germany (a national governmental entity)	
Kreditanstalt fuer Wiederaufbau (a bank controlled by the German Government)	

Names of Officers and Directors:

NAME <i>(First, M.I., Last)</i>	Title <i>(e.g. President, Treasurer)</i>

Check if applicable:

☒ *There is additional Corporation Information. See Attachment to Paragraph C-2.*

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Kreditanstalt fuer Wiederaufbau, Palmengartenstrasse 5-9 Friedrich-Ebert-Allee 140, D-53111 Bonn, Germany

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME <i>(First, M.I., Last)</i>	SHAREHOLDER NAME <i>(First, M.I., Last)</i>
Federal Republic of Germany (a national governmental entity)	

Names of Officers and Directors:

NAME <i>(First, M.I., Last)</i>	Title <i>(e.g. President, Treasurer)</i>

Check if applicable:

☒ *There is additional Corporation Information. See Attachment to Paragraph C-2.*

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Federal Republic of Germany (FRG) Federal Ministry of Finance, Wilhelmstr. 97, 10117 Berlin, PA.: PO Box 272, 10117 Berlin, Germany

Description of Corporation:

☐ There are 100 or fewer shareholders and all shareholders are listed below.

☐ There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

☒ There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

☐ There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☐ There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Donohue & Stearns, PLC, 801 N. Fairfax St., Suite 209, Alexandria, VA 22314

Description of Corporation:

X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME <i>(First, M.I., Last)</i>	SHAREHOLDER NAME <i>(First, M.I., Last)</i>
Edward L. Donohue	
Frank W. Stearns	

Names of Officers and Directors:

NAME <i>(First, M.I., Last)</i>	Title <i>(e.g. President, Treasurer)</i>

Check if applicable:

 There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Entrex Communication Services, Inc., 6600 Rockledge Dr., Suite 550, Bethesda, MD 20817

Description of Corporation:

X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Marc A. Marzullo	
J. Cabot Goudy	
Camille Shabshab	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

 There is additional Corporation Information. See Attachment to Paragraph C-2.

3. PARTNERSHIP INFORMATION

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)

_____(check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

<i>NAME</i> (First, M.I., Last)	<i>Title</i> (e.g. General Partner, Limited Partner, etc)

Check if applicable:

_____ Additional Partnership information attached. See Attachment to Paragraph C-3.

4. ADDITIONAL INFORMATION

- a. One of the following options **must** be checked:

☐ In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

☒ Other than the names listed in C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

☐ Additional information attached. *See Attachment to Paragraph C-4(a).*

- b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

EXCEPT AS FOLLOWS: (If none, so state). NONE

Check if applicable:

☐ Additional information attached. *See Attachment to Paragraph C-4(b).*

- c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation (as defined in the Instructions at Paragraph B.3) in which any of them is an officer, director, employee, agent or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship (other than any ordinary customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of \$100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

EXCEPT AS FOLLOWS: (If none, so state). NONE

Check if applicable:

☐ Additional information attached. *See Attachment to Paragraph C-4(c).*

D. COMPLETENESS

That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

M Colleen Canovas

check one: ☐ Applicant or ☒ Applicant's Authorized Agent

M. Colleen Canovas

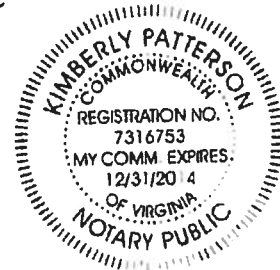
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 19th day of January 20 11, in the State/Commonwealth of Virginia, in the County/City of Leesburg.

Kimberly K. Patterson
Notary Public

My Commission Expires: 12/31/2014

Notary Registration Number: 7316753



Statement of Justification for T-Mobile application for CMPT and SPEX for a new Telecommunications Facility to be located at Christ Our Savior Church, 46611 Jefferson Drive, Sterling, Virginia

Applicant: T-Mobile Northeast, LLC
12050 Baltimore Avenue
Beltsville, MD 20705

Representative: M. Colleen Canovas
Donohue & Stearns, PLC
201 Royal Street SE, Suite E
Leesburg, VA 20175
(703) 549-1123, ext. 107
ccanovas@donohuestearns.com

T-Mobile Site # WAC071 –Christ Our Savior Church
Property Owner: Christ Our Savior Church
Tax ID # (PIN): 019-30-9383-000
Tax Map/Parcel: /81/E/1////17/
Zoning Designation: CR-1
District: Potomac
Acreage: 1.00 more or less

Pursuant to Section 15.2-2232 of the Code of Virginia, T-Mobile Northeast, LLC, (“T-Mobile”), by and through their agent/counsel, Donohue & Stearns, PLC, hereby requests a determination that the proposed wireless telecommunication application described herein is in substantial accordance with the Loudoun County Comprehensive Plan. We appreciate your time and consideration in review of this application for Special Exception and Commission Permit.

Description of Proposed Use:

T-Mobile requests review and approval of a proposed eighty (80) foot “stealth” belltower telecommunications facility to be located on the existing grass island of the above referenced property, which is a parking lot for a church, located at 46611 Jefferson Drive (Christ Our Savior Church), Sterling. The coordinates of the site are 39° 02’ 13.633”N and 77° 23’ 14.270”W. The current use of the subject property is a parking lot for the above referenced church. The subject property has been improved with a parking lot that accompanies the church building on the adjoining lot. The purpose of the proposed facility is to provide needed wireless telecommunications coverage enhancements for the citizens, businesses and visitors of Loudoun County in the Cascades area of Sterling, including Route 637, Palisades Parkway and the surrounding area for essential, non-essential and emergency communications.

The proposed belltower facility, to be located on the existing grass island, will include the proposed antennas and related cables being concealed within the stealth belltower. Additionally, the proposed telecommunications facility will include one 23’x 38’ equipment compound with three (3) T-Mobile equipment cabinets on a 10’ x 20’ concrete pad and space for two (2) future telecommunication carriers, to be located in the southwest corner of the property. The proposed facility will function as a base transmission station for T-Mobile’s wireless telecommunications network. This portion of the subject property is currently used as part of the church parking lot. In order to meet the setback and parking space requirements T-Mobile is proposing to eliminate six (6) current parking spaces in the location of the fenced equipment compound and re-locate four (4) parking spots elsewhere on the property. This proposal will enable T-Mobile to meet the landscape buffer distances of 25 feet to the sides and 25 feet to

the rear, as well as providing 67 parking spaces for the 66 required for the church occupancy of 258 and 1 spot for the telecommunications facility.

MODIFICATION REQUESTS

Pursuant to Section 5-1403(C), the Board of Supervisors may modify the requirements of this section as part of an approval of a special exception and, as such, T-Mobile is requesting a modification of the zoning ordinance Sections 5-1405, 5-1413(B)(3) and 5-1413(B)(4).

Section 5-1405, *Buffer Yards and Screening, General Provisions, where buffer yards and screening shall be provided in accordance with the Buffer Yard and Screening Matrix set forth in Section 5-1414(A), Table 5-1414(A) of Section 5-1414(A), Buffer Yard and Screening Matrix.* T-Mobile is requesting to modify the required plantings and reduce the minimum width of the Type 4 Front Buffer Yard from 20 feet to 0 feet as the front yard of the facility is a portion of the existing parking lot and a buffer yard would inhibit driving in the parking lot. T-Mobile is proposing to install bollards in the parking lot for public safety reasons and to protect the fencing of the front yard of the compound. T-Mobile is also requesting to modify the required plantings and reduce the minimum size of the Type 4 East Side Buffer Yard from a total of 47 linear feet to 35 linear feet as a part of the east buffer yard of the facility is a portion of the existing parking lot and a buffer yard would inhibit driving in the parking lot if it were to be installed.

Section 5-1413(B)(3), *Interior Parking Lot Landscaping, where there shall be a minimum six (6) foot wide landscape island at the end of every row of parking,* and Section 5-1413(B)(4), *Interior Parking Lot Landscaping, where there shall be a minimum of one canopy tree per required landscape island.*

T-Mobile is requesting to modify the minimum width, to less than 6 feet, of the landscape island at an end of the row of parking due to the relocation of four parking spots to this location in the parking lot. In addition, T-Mobile is requesting to modify the minimum of one canopy tree per required landscape island, as the above-referenced landscape island will be reduced in size to less than the minimum width of 6 feet.

The proposed facility is subject to the standards of Section 5-618. The proposed facility will comply with the standards set forth in Section 5-618, as well as the general special exception standards of Section 6-1310.

5-618 Telecommunications Use And/Or Structures. The following performance standards shall be applied to telecommunication uses and/or structures.

- (A) **Antennas.** Structure mounted and roof top mounted antennas and related unmanned equipment may be developed subject to the performance standards below to the extent permitted by right in the district use lists.
 - (1) Antennas and related unmanned equipment are permitted on an existing telecommunications monopole, telecommunications tower, or structure forty (40) feet or greater in height in all zoning districts subject to the performance standards outlined in this section. *N/A T-Mobile proposes to construct a new 80' stealth belltower. The subject parcel is located in a CR-1 zoning district.*
 - (2) Notwithstanding the height requirements in Section 5-618(A)(1), antennas and related unmanned equipment are permitted in all zoning districts on buildings and structures owned or controlled by a public use or fire and/or rescue company. *N/A*
 - (3) Such antennas and related equipment may exceed the maximum building height limitations, provided the use is in accordance with the development

criteria herein. *The construction and use of the proposed facility shall be in accordance with these criteria.*

- (4) Omnidirectional or whip antennas shall not exceed twenty (20) feet in height or seven (7) inches in diameter and shall be of a material or color which matches the exterior of the building or structure. *N/A*
 - (5) Directional or panel antennas shall not exceed ten (10) feet in height or two (2) feet in width and shall be of a material or color which matches the exterior of the building or structure. *The proposed antennas will measure less than ten (10) feet in height and two (2) feet in width. Antenna specifications have been included in this application package.*
 - (6) Satellite and microwave dish antennas shall not exceed six (6) feet in diameter and shall be screened from public view. *N/A*
 - (7) No commercial advertising shall be allowed on any antenna. *No advertising shall be located on the antennas or within the proposed compound.*
 - (8) Signals or lights or illumination shall not be permitted on any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County. *Lighting is not required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the Count for the telecommunications facility. No signals, lights, or illumination will be located on the antenna.*
 - (9) The related unmanned equipment structure(s) shall not contain more than 500 square feet of total gross floor area per user on each site. Structures shall not exceed 12 feet in height. If located within the structure upon which the antennas are mounted, they may be located in the areas which are excluded from the determination of net floor area without changing the exclusion of those areas from the calculation of the density of the structure. The structure shall be of a material or color which matches the exterior of the building or structure. *As detailed in the attached drawings, the proposed equipment area for T-Mobile equipment in the compound measures approximately 200 square feet in gross floor area and will not exceed 12 feet in height. The exterior of the proposed shelter shall be of a neutral color to blend in with the surrounding area.*
 - (10) If the equipment structure is located on the roof of a building, the area of the equipment and structures shall not occupy more than twenty-five (25) percent of the roof area. *N/A*
- (B) **Monopoles.** Monopoles and related unmanned equipment structure(s) may be developed as a permitted or special exception use, as listed below:
- (1) **Monopoles, Permitted By Right.** Monopoles shall be permitted by right subject to the performance criteria listed in Section 5-618(B)(3), in the following situations:

- (a) In all zoning districts, if located within an overhead utility transmission line right of way with existing structures greater than eighty (80) feet in height. *N/A*.
 - (b) In the PD-OP, GB, PD-GI, PD-SA, PD-IP, PD-RDP, or MR-HI zoning districts provided it is located 750 feet or greater from an adjoining residential district. The proposed facility will be located in the PD-IP district at a distance greater than 750 feet from an adjoining residential district. *N/A*.
 - (c) In the AR, A-10, TR, JLMA-1, JLMA-2, JLMA-3, A-3, CR-1, CR-2, CR-3, CR-4, PD-TREC and RC zoning districts, when accessory to a fire or rescue station. *N/A*
- (2) **Monopoles, Special Exception Required.** Except as provided above, telecommunications monopoles shall be permissible subject to approval of a special exception and subject to the performance standards listed in Sections 5-618(B)(3) and 5-618(B)(4), in the following situations:
- (a) In the AR, A-10, TR, JLMA-1, JLMA-2, JLMA-3, A-3, CR-1, CR-2, CR-3, CR-4, PD-TREC and RC zoning districts, except as provided in Section 5-618(B)(1)(c), and in the CLI, PD-CC(CC), PD-CC(SC), PD-CC(RC), PD-TC, PD-UC, PD-TRC and PD-CV zoning districts. *T-Mobile understands that the requested facility is subject to approval of a special exception and is subject to the performance standards cited above.*
 - (b) In the PD-OP, GB, PD-GI, PD-SA, PD-IP, PD-RDP, and MR-HI zoning districts when located 750 feet or closer from an adjoining residential district. *N/A*
 - (c) In all zoning districts, except PD-H, R-districts, PD-AAAR, and PD-RV, as an accessory use to a fire and rescue station, except as provided in Section 5-618(B)(1)(c). *N/A*
 - (d) In all zoning districts, within the right of way of a private toll road. *N/A*
- (3) **Monopoles, General Performance Criteria.** All telecommunications monopoles, whether permitted by right or permissible with the approval of a special exception application, shall be subject to the following criteria:
- (a) The proposed telecommunications monopole shall be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture. In addition, the facility shall be located in the interior of the property and areas of existing vegetation, if applicable, shall be used to screen the facility. *The proposed belltower will be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture. The antennas will be completely concealed within the belltower. This means of concealment is highly compatible with its proposed location at a church and in a residential area. Because the subject property is located in countryside residential with a church as the primary use, the belltower design is consistent with surrounding uses. The compound will be concealed by an 8' board on board wood fencing and a 25'*

landscape buffer to the sides and rear to include various plantings as indicated in the landscaping plan attached. T-Mobile is requesting a landscape buffer modification for the front yard of the facility and for the east side yard of the facility, as described above. The proposed design utilizes the existing vegetation for screening to the extent possible.

- (b) New telecommunications monopoles shall be designed to accommodate at least three (3) providers, unless:
 - (i) Doing so would create an unnecessary visual impact on the surrounding area; or
 - (ii) No additional need is anticipated for any other potential user in the vicinity; or
 - (iii) There is some valid economic, technological, or physical justification as to why co-location is not possible.

The applicant shall identify the conditions under which future co-location by other service providers is permitted.

The proposed stealth belltower facility will be designed to accommodate at least three (3) providers, with a total of four (4) levels within the belltower for the placement of antennas. Other service providers shall be allowed to co-locate provided that future installations will not interfere with existing antennas.

- (c) The height of such monopole, including antennas, shall not exceed 199 feet, as measured from the natural ground elevation. *The overall height of the proposed belltower shall be 80' to the top of the structure, with T-Mobile antennas to be mounted within the belltower at rad centers of 73' and 63' centerline.*
- (d) Satellite and microwave dishes attached to monopoles shall not exceed two (2) feet in diameter. *N/A*
- (e) Except as provided in Section 5-618(B)(3)(o) and Section 5-618(B)(4)(d), telecommunications monopoles shall not be located any closer than one (1) foot for every five (5) feet in height to any property line. Structures and buildings may be constructed within the setback areas of the monopole, provided other zoning standards are met. *As indicated in the site plan attached, the setback distances for the proposed belltower are met as required per the Zoning Ordinance.*
- (f) The related unmanned equipment structure(s) shall not contain more than 500 square feet of total gross floor area per telecommunications provider on each site. Structures shall not exceed 12 feet in height. *As indicated in the attached drawings, there will be three (3) equipment cabinets, which will total less than 500 square feet and not exceed 12 feet in height.*

- (g) Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, monopoles shall blend with the background. *The antennas will be enclosed in the belltower designed to be compatible with other area belltowers that may be located in the vicinity of this site.*
- (h) No signals or lights or illumination shall be permitted on a monopole, unless required by the Federal Communications Commission, the Federal Aviation Administration, State or Federal authorities, or the County. *Lighting is not required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County. No signals, lights, or illumination shall be located on the proposed structure.*
- (i) No commercial advertising or signs shall be allowed on a monopole. *No commercial advertising or signs shall be located on the proposed structure.*
- (j) A commission permit shall be required. *T-Mobile is applying for a commission permit and special exception concurrently.*
- (k) No monopole shall be located within a County designated historic district. *The subject property for location of the proposed facility is not located within a County designated historic district.*
- (l) No monopole shall be located within a PD-H, or PD-RV zoning district except as provided in Section 5-618(B)(1)(a) and Section 5-618(B)(2)(d). *N/A*
- (m) All unused equipment and facilities from a commercial public telecommunications site shall be removed within 90 days of cessation of commercial public telecommunication use and the site shall be restored as closely as possible to its original condition. *T-Mobile agrees to this condition.*

Applicants for any commercial public telecommunications facility shall demonstrate that they have complied with applicable regulations of the FCC and the FAA. A finding from the FAA that the proposed facility is not a hazard or obstruction to aviation is necessary prior to the issuance of a zoning permit. If a proposed telecommunications facility is higher than 199 feet or within five (5) miles of the property boundary of either Dulles or Leesburg Airports, the applicant shall provide verification that: 1) the appropriate airport authority (Metropolitan Washington Airports Authority or the Town of Leesburg) has been notified in writing; and 2) the FAA has determined that the proposed facility is neither a hazard nor an obstruction to aviation. *The proposed structure is less than 199' with a requested height of 80'. Applicant agrees that the FAA has or will determine that the proposed facility is not a hazard or obstruction to aviation.*

- (o) When locating on a Loudoun County or Loudoun County Sanitation Authority site or fire and/or rescue company site: 1) the telecommunications equipment shall not interfere with the existing telecommunications equipment of the primary use; and 2) the setback provisions of Section 5-618(B)(3)(e) shall not apply. In addition, the landscaping/buffering provisions of the Ordinance may be reduced or waived if the site has been developed in accordance with Section 5-1409(G). *N/A*
- (p) Applicants proposing a new telecommunications monopole within one (1) mile of a County designated historic district or a Virginia Byway shall submit a minimum of three (3) visual simulations and written justification as to why the monopole could not be sited elsewhere. This requirement shall also be applied if a telecommunications monopole is proposed on a property listed on the National Register of Historic Places. *The subject property is not listed on the National Register of Historic Places. Based on the Loudoun County mapping system, the subject property is not located within one mile of a County designated historic district. The site is not located on a Virginia Byway. A NEPA report and photo simulations are included in this application package.*
- (q) Telecommunications monopoles shall not be located along ridge lines, but down slope from the top of ridge lines, to protect views of the Catoclin, Bull Run, Hogback, Short Hill, and Blue Ridge Mountains. *The proposed belltower will not be located along the ridgelines of these mountains.*
- (r) Applicants shall submit documentation, in written and graphic form, regarding the service area to be provided by the proposed telecommunications monopole. *The purpose of the proposed facility is to provide enhanced coverage to the Cascades area of Sterling, Route 637, Palisades Parkway and the surrounding vicinity. Propagation maps have been included with this application to serve as a graphic depiction of T-Mobile's coverage objective.*
- (4) **Monopoles, Additional Submission Requirements.** The following additional information shall be submitted by applicants for monopoles required to be approved by special exception.
 - (a) The applicant shall provide photo imagery or other visual simulation of the proposed telecommunications monopole shown with the existing conditions of the site. This simulation shall be provided from a minimum of three (3) perspectives. The applicant shall address how the facility can be designed to mitigate the visual impact on area residents, facilities, and roads. (Obtain sims & discuss)

As noted above, the antennas shall be completely concealed inside the belltower, which is compatible with its proposed location at a church and in a residential area. Included in this application package, are simulations of the proposed facility from seven (7) (three not visible) prospective views. The equipment compound will be screened by existing vegetation and will be supplemented by the required landscape buffer, with the above requested modifications, once approved.

- (b) Except for areas where permitted by right, an applicant for a new commercial public telecommunication monopole shall demonstrate that location on an existing telecommunications facility or structure greater than 40 feet in height is not feasible. The applicant shall evaluate telecommunications facilities and structures greater than 40 feet in height within a one (1) mile radius of the proposed facility within the Eastern Loudoun Urban Growth Area. Elsewhere in the County, the applicant shall evaluate these locations within a two (2) mile radius of the proposed facility. Technological, physical, and economic constraints may be considered in determining infeasibility.

Co-location may be determined to be infeasible in the following situations:

- (i) Planned equipment would exceed the structural capacity of existing and approved telecommunications facilities, considering existing planned use of those facilities, and such facilities cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost;
- (ii) Planned equipment will cause interference with other existing or planned equipment for that telecommunications facility, and that interference cannot be prevented at a reasonable cost;
- (iii) Existing or approved telecommunications facilities do not have space on which planned equipment can be placed so as to provide adequate service; and
- (iv) Existing and approved telecommunications facilities will not provide adequate signal coverage.

The Site Selection Process:

T-Mobile conducted a thorough review of the area for existing structures with sufficient height to meet the enhanced coverage needs of its customers in the area. T-Mobile's customers currently benefit from existing sites to the north, east, south and west of this proposed site (as show on the attached propagation coverage maps). In fact the proposed site sits nearly right in the middle of the above mentioned sites. In hopes of avoiding requesting a new structure T-Mobile did ask Loudoun County to allow it to attach its antennas to an existing 142 foot HAM radio tower at the 127 foot level on Oak Lane in Sterling. However, the County determined in a May 9, 2006 letter from the Planning Department to T-Mobile that the existing HAM tower was not legally established and thus could not be utilized by T-Mobile to locate its antennas upon. T-Mobile also considered the Potomac Garden Apartments on Potomac View Road across the street from the proposed site at the Church. The apartment buildings were ruled out as a candidate for a few reasons. For this area to provide the best coverage objective, T-Mobile requires a minimum of 80 feet in antenna height overall. For purposes of collocation, the 4 story apartment buildings (a) were not tall enough to meet the coverage objective, (b) the buildings were shorter than the existing and adjacent trees, which would have blocked the radio frequency signal, and (c) the buildings have pitched roofs with no suitable way to mount antennas to the existing rooftop. The property on which the apartment buildings are located are zoned PDH3. Due to the lack of height and pitched roof construction of the buildings, in order to install the antennas at that location, T-Mobile would have had to pursue a monopole or separate chimney attached to the side

of the existing building(s) and such structures are not permitted in a PDH zone. Unfortunately, there were not any other existing structures of sufficient height to meet T-Mobile customers' needs and alleviate this request for a new structure to house T-Mobile's antennas. Thus, the applicant worked with the area and found the church willing to assist and is proposing a new stealth belltower facility of modest height (80ft) for a telecommunications facility. We are confident that this stealth solution of modest height is a reasonable solution to meet the T-Mobile customers needs as well as both the spirit and wording of the County code and rules. Pursuant to the Community Planning comment letter dated September 3, 2009, County staff recommended that T-Mobile explore placing telecommunications antennas on the existing utility poles that line the west side of Potomac View Road. These utility poles are varying heights and are approximately 40 feet tall. The utility poles as they exist are not of sufficient height to meet T-Mobile customers' needs and, as such, would need to be replaced. In addition, T-Mobile would need to seek the approval of usage of the poles from the utility provider that owns the poles and maintains the easement on the property.

- (c) In addition to those entitled to notice under the provisions of Section 6-600 of this Ordinance, all owner(s), or their agent(s), of all properties abutting or immediately and diagonally across the street or road from those properties whose owners are entitled to notice under Section 6-600, shall be provided with the same written notice. The applicant is also encouraged to meet with community and homeowners association groups in the area. *The applicant has conducted community meetings at the church property with notification sent to all adjoining property owners and homeowner/condominium associations within 2000 feet of the site of the meeting. In addition, the applicant has sent photo simulations and copies of the site plans showing the design of the proposed belltower to homeowner/condominium associations within 2000 feet of the site in order to fully advise the community.*
- (d) Telecommunications monopoles permissible by special exception pursuant to Section 5-618(B)(2)(d) shall not be subject to the lot requirements, building requirements, and open space requirements, if applicable, of the zoning district in which they are located. *Site plan attached.*

6-1310 Issues for Consideration

In considering a special exception application, the following factors shall be given reasonable consideration. When a special exception or minor special exception application includes a request for approval of temporary special events, the following factors shall be reasonably considered taking into account the proposed special events as well as the principal special exception use. The applicant shall address all the following in its statement of justification or special exception plat unless not applicable, in addition to any other standards imposed by this Ordinance:

- (A) Whether the proposed special exception is consistent with the Comprehensive Plan. *T-Mobile's proposed special exception is in substantial accordance with the Comprehensive Plan. The proposed facility will be sited in a CR-1 district, to be located on a church property. The requested use is subject to a special exception*

use under §2-503(MM). Per Chapter 3 of the Comprehensive plan, the demand for local services has doubled in Loudoun County over the past decade due to increasing growth in population. Correspondingly, improvement of the T-Mobile network will result in a higher quality service for area residents, businesses and visitors. This location will provide improved coverage along the Cascades area of Sterling, including Route 637, Palisades Parkway and the surrounding area. In accordance with Chapter 7 of the Comprehensive Plan, the requested facility will contribute to the County's vision for economic development, as the availability of quality communications can directly support existing business. Quality wireless telecommunications services can help facilitate Loudoun County's endeavor to maintain a viable economy and communications for emergency situations. The stealth belltower telecommunication facility design helps to preserve the character and scenic quality of the Cascades area for citizens and visitors.

- (B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control. *The proposed facility will be consistent with all applicable requirements, including building and fire code. The proposed facility will not present safety or fire hazards.*
- (C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area. *The proposed facility is an unmanned facility that will not produce material noise, traffic, waste, or otherwise negatively impact the surrounding uses. The site will be visited approximately once per month by a technician for regular maintenance.*
- (D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area. *There will be no glare or light generated by the proposed use.*
- (E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels. *From an aesthetic perspective, the stealth belltower design makes the proposed use highly compatible with uses in the neighborhood and adjacent parcels. Also, from a practical standpoint the proposed use provides a service to area residents, workers, tourists and commuters.*
- (F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses. *The proposed location does have some existing landscaping, screening and buffering on and around the site and the applicant intends to work with staff on additional landscaping, screening and buffering on and around the site as appropriate.*
- (G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance. *The requested facility will have no effect on any such feature.*

- (H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality. *The requested facility will not damage or generate adverse impact on any animal habitat, vegetation, water or air quality.*
- (I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public. *The proposed special exception at this location will contribute to and promote the welfare and convenience of the public. The requested facility will improve area wireless coverage for essential, non-essential and emergency communications. Additionally, quality wireless service offers support to a viable economy.*
- (J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services. *The proposed use will be an unmanned facility, therefore, the traffic patterns will not be adversely affected. Once the facility is constructed, normal traffic to the site will include approximately one visit per month by a service technician for regular maintenance.*
- (K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County. *N/A. T-Mobile requests a special exception for the construction of a new stealth belltower structure. If approved, the new belltower will comply with all code requirements of Loudoun County.*
- (L) Whether the proposed special exception will be served adequately by essential public facilities and services. *The proposed use will not generate demand for essential public facilities and services as it is an unmanned facility, not intended for human habitation.*
- (M) The effect of the proposed special exception on groundwater supply. *The proposed special exception will have no effect on the groundwater supply.*
- (N) Whether the proposed use will affect the structural capacity of the soils. *A geotechnical study will be performed prior to construction of the facility. The facility will be designed so as not to affect the structural capacity of the soils.*
- (O) Whether the proposed use will negatively impact orderly and safe road development and transportation. *The proposed use will have no impact on orderly and safe road development and transportation. Once the facility is constructed, normal traffic will include approximately one visit per month by a service technician for regular maintenance.*
- (P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan. *The proposed special exception may generate jobs during the construction phase as well as ongoing employment for maintenance of the facility. By providing wireless telecommunications service*

in the area, the proposed special exception can advance competition while promoting communications which is essential for business growth and development.

- (Q) Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth. *The proposed special exception does consider these needs and can help to advance future growth in these areas. Communications are essential for future growth and development of agriculture, industry and business. The requested special exception can directly impact those needs by providing a high quality, reliable communications service.*
- (R) Whether adequate on and off-site infrastructure is available. *Adequate on and off site infrastructure is available for the successful integration of the requested facility into the T-Mobile wireless telecommunications network.*
- (S) Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses. *The proposed use will not generate any odor.*
- (T) Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas. *The proposed construction will take place on site. An existing parking lot extends from Jefferson Drive onto the property. There is no expected impact to neighborhoods, school areas or regular traffic flow to be caused by construction traffic.*

December 21, 2010

Sophia Fisher, Planner
County of Loudon, Department of Planning
1 Harrison Street SE
Leesburg, VA 20175

Re: SPEX 2008-0030 & CMPT 2008-0008
T-Mobile Sterling, Christ Our Savior Lutheran Church

Dear Sophia:

T-Mobile Northeast LLC (T-Mobile) acknowledges receipt of Community Planning and Zoning Administration referral comments, dated July 20, 2010 in the referenced land use application. This letter constitutes the response of T-Mobile as applicant to all comments received to date in connection with this application. Where the issue has been resolved we so state, and where applicable the revisions are also depicted on the enclosed revised Plat Sheets, two (2) full size copies are submitted herewith.

Our responses to the various referrals and issues are as follows:

DEPARTMENT OF PLANNING REFERRAL 07/20/10 (Sarah Milin, Senior Planner, Community Planning)

Staff Comment: The proposed site is not considered to be one of the County's preferred locations for new commercial public telecommunication facilities as described in the Telecommunication Plan. Community Planning staff recommends that an alternative bell tower design be explored that is more compatible with the design, scale, proportion, color, materials and architecture of the existing church. Enhanced, year-round vegetation should be provided along the western and southern sides of the equipment compound to minimize the

ATTACHMENT 4

visual impacts of this facility from adjacent residential dwellings. A second community meeting with affected property owners and homeowner/condominium associations could help refine the design of the proposed telecommunications facility.

Response: *Applicant has revised their design to reflect a bell tower that applicant believes is more compatible with the existing church and the final color of the proposed bell tower will be addressed by staff in the Conditions of Approval upon approval. In order to mitigate the visual impact on the surrounding homes, the antennas will be completely concealed within the bell tower. This means of concealment will be compatible with its use as a bell tower at a church, in a countryside residential area. The equipment compound will be located in the southwest corner of the parking lot adjacent to the church, similar to its proposed location at the time of the first submittal. The compound will be surrounded by an 8' board on board wood fence and a 25' type 4 landscape buffer to the sides and rear portions of the property to help minimize the visual impact. Applicant will work with County staff to mitigate further the visual impact of the compound to the surrounding areas to the greatest extent possible. On July 27, 2010, Applicant conducted a second community meeting with the neighboring homeowners and homeowner/condominium associations to discuss the redesign of the proposed telecommunications facility. Upon recommendation of staff, Applicant will send out information about the revised design of the project, including photo simulations and pages from the site plan, to neighboring homeowner/condominium associations.*

Staff Comment: Appropriate conditions of approval should be developed once the design of the bell tower is finalized including: that bollards will be installed to protect the fencing of the front yard of the compound; that the bell tower will contain interior mounted antennas that are concealed from view; the use of non-reflective paint, etc.

Response: *Applicant's plans show the installation of bollards to protect the fencing of the front yard of the compound. Applicant's plans show that the antennas will be completely concealed inside the bell tower. Applicant will work with staff to develop conditions of approval that will address the above comment of the use of non-reflective paint.*

Staff Comment: Lastly, staff requests information and/or clarification regarding whether the proposed structure will be a functioning bell tower and if an outdoor pavilion area will be provided at the base of the structure for use by the Church.

Response: *The bell tower will not be a functioning bell tower, the bells reflected in the*

design will be for aesthetic purposes, only. The bell tower will consist of three columns which will be installed as reflected on the site plans. There will be no outdoor pavilion area at the base of the structure for use by the Church.

DEPARTMENT OF BUILDING AND DEVELOPMENT, ZONING

ADMINISTRATION REFERRAL 07/20/10 (Nita Bearer, Planner, Zoning Administration)

I. SECTION 5-618, TELECOMMUNICATIONS USE AND/OR STRUCTURES

5-618(B)(3)(a) The proposed telecommunications monopole shall be compatible with development in the vicinity with regards to the setting, color lighting, topography, materials and architecture.

Staff Comment: Provide the proposed color of the bell tower on the plan.

***Response:** The proposed color of the bell tower will be addressed by staff in the Conditions of Approval.*

II. SECTION 6-1310 SPECIAL EXCEPTION ISSUES FOR CONSIDERATION - 6-

1310(C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

Staff Comment: Clarity whether a generator will be located within the compound, and, if so, how will any noise generated by alleviated.

***Response:** Applicant will not be locating a generator within the compound.*

III. SPECIAL EXCEPTION PLAT

Staff Comment 1 - Add the commission permit application number, CMPT-2008-0008, to the title sheet.

***Response:** CMPT number has been added to the title sheet.*

Staff Comment 2 - Because access will be through the adjacent property, add the parcel identification number, 012-35-1587, to the "Parcel ID" under "Project Description" on the title sheet.

***Response:** Parcel ID of the adjacent property has been added to the title sheet.*

Staff Comment 3: Correct the “Bulk Requirements for CR-1” table on the Site Survey sheet and the Special Exception Plat sheet to indicate that the minimum side yard setback is 9’ instead of 25’. The required buffer is 25’ which is noted on Sheet Z-6.

Response: The “Bulk Requirements for CR-1” tables have been corrected on pages Z-1 and Z-2. In addition, in response to staff comments, the “Requirements for Section 5-618 Telecommunications Use and/or Structures” tables have been revised on pages Z-1 and Z-2 to reflect a change in the proposed maximum structure height to state <12 feet and the proposed maximum total gross floor area to state <500 SF.

IV. OTHER ZONING COMMENTS

Staff Comment 1: According to the Zoning Permits Division, the cross illustrated on the tower will be considered a sign and is not permitted.

Response: There will be no cross design on the bell tower.

Staff Comment 2: According to Section 5-1403(C), the Board of Supervisors may modify the requirements of Section 5-1400 as part of an approval action of a special exception. Zoning staff recommends that the landscape plan be included for approval if it clearly illustrates the requested modifications/waiver. The applicant has requested modifications/waiver in the Statement of Justification. Zoning staff recommends that the requested waiver/modifications be clearly stated on the landscape plan to include the following:

- a. Allow the required landscape buffer to surround the equipment compound only.
- b. Waive the requirement for a front landscape buffer yard.
- c. Locate bollards in the front of the compound as illustrated on the special exception plat.
- d. Modify the east side landscape buffer yard to reduce the linear footage to only 35 LF from the rear property line.
- e. Modify the requirement of a landscape island with a canopy tree required to be located in the landscape island on the north side of the relocated four parking spaces pursuant to Section 5-1413(B)(3) and (4).

Response: Applicant discussed these comments with staff. The plans reflect the information requested in these comments above. No changes to the plans were

necessary.

Staff Comment 3: The linear feet of the proposed buffer yards surrounding the compound need to be clarified. As illustrated, the buffer yards overlap the rear buffer yard. Revise the type 4 buffer yard table to reflect the correct linear feet of each buffer yard and the required, existing, and proposed plantings.

Response: Applicant discussed this comment with staff. The plans reflect the correct linear feet of the proposed buffer yards, and the correct type 4 buffer surrounding the compound. No changes to the plans were necessary.

Staff Comment 4: Please inform the applicant that, after approval of the special exception and commission permit plat is obtained, approval of a site plan and a building/zoning permit is required.

Response: Applicant is aware of the process following approval of the special exception and commission permit.

We believe that we have addressed all of the staff comments and we look forward to working with staff to resolve any issues that may remain.

Donohue & Stearns, PLC

By:



M. Colleen Canovas

Attachments

July 1, 2010

Sophia Fisher, Planner
County of Loudon, Department of Planning
1 Harrison Street SE
Leesburg, VA 20175

Re: SPEX 2008-0030 T-Mobile Sterling

Dear Sophia:

T-Mobile Northeast LLC (T-Mobile) acknowledges receipt of Community Planning 2nd and Zoning Administration 2nd referral comments in the referenced land use application. This letter constitutes the response of T-Mobile as applicant to all comments received to date in connection with this application. Where the issue has been resolved we so state, and where applicable the revisions are also depicted on the enclosed revised Plat Sheets, four (4) full size copies are submitted herewith.

Our responses to the various referrals and issues are as follows:

DEPARTMENT OF PLANNING REFERRAL 09/03/09 (Sarah Milin, Senior Planner, Community Planning)

Staff Comment: *The proposed site is not considered to be one of the County's preferred locations for new commercial public telecommunication facilities as described in the Strategic Land Use Plan for Telecommunications Facilities. The proposed facility, within a residential neighborhood, is incompatible with surrounding land uses and will have adverse visual impacts on several residential neighborhoods. For these reasons, Community Planning staff cannot support the proposal. Should the application be considered further, staff recommends that the Applicant provide further commitments that will help mitigate the*

visual impact on the surrounding area to the greatest extent possible (such as additional plantings along the western and southern sides of the equipment compound).

Response: T-Mobile has revised their design and location of the telecommunications facility on the site to include a bell tower, to be located in the existing grass island, and an equipment compound, which will be located in the southwest corner of the parking lot adjacent to the church. In order to mitigate the visual impact on the surrounding homes, the antennas will be completely concealed within the bell tower. This means of concealment will be compatible with its use as a bell tower at a church, in a countryside residential area. The equipment compound will be located in the southwest corner of the parking lot adjacent to the church, similar to its proposed location at the time of the first submittal. The compound will be surrounded by an 8' board on board wood fence and a 25' landscape buffer to the sides and rear portions of the property to help minimize the visual impact. Applicant will work with County staff to mitigate further the visual impact of the compound to the surrounding areas to the greatest extent possible.

Staff Comment: *Staff encouraged the Applicant to meet with adjacent property owners and community and homeowners association groups in the area who may be impacted by the proposed facility.*

Response: The Applicant conducted a community meeting at the church property on September 29, 2009. Due in large part to the comments of the community and County staff, Applicant revised their design and location of the telecommunications facility to the current design of a bell tower and equipment compound. Applicant will conduct another community meeting at the church property inviting all adjoining property owners and homeowner/condominium associations within 2000 feet of the site of the meeting to show them the new design and location and give them the opportunity to comment.

Staff Comment: *Staff requested that the Applicant explore placing telecommunications antennas on the existing utility poles that line the west side of Potomac View Road.*

Response: The utility poles are varying heights and are approximately 40 feet tall. The utility poles as they exist are not of sufficient height to meet T-Mobile's coverage objectives of increased in-building coverage to the residential areas surrounding the site and, as such, they would need to be replaced. In addition, T-Mobile would need to seek the approval of usage of the poles from the utility provider that owns the poles and maintains the easement

on the property.

DEPARTMENT OF BUILDING AND DEVELOPMENT, ZONING

ADMINISTRATION REFERRAL 08/12/09 (Nita Bearer, Planner, Zoning Administration)

Staff Comment: *Add the application number, SPEX-2008-0030 and CMPT-2008-0008, to the title page.*

Response: Applicant has added the application number to the title page.

Staff Comment: *On sheets Z1 and Z2, remove the “-“ from the minimum rear yard setback table in the table of CR1 bulk requirements and also on the illustration depicting the west side yard and rear yard. A minimum rear yard of 25' must be provided according to 2-506(C)(3). The minimum rear buffer yard and the minimum side buffer yard is 25' according to Section 5-1414(B), therefore they cannot be less than 25'.*

Response: Applicant has revised the table of CR1 bulk requirements and the illustrations depicting the west side yard and rear yard on sheets Z1 and Z2 to comply with Sections 2-506(C)(3) and 5-1414(B).

Staff Comment: *Section 5-1413(B)(3) and (4) requires a 6' wide landscape island at the end of each row of parking and a minimum of one canopy tree planted in each island. An island and canopy tree must be provided at the north end of the relocated parking spaces. If a waiver is requested pursuant to Section 5-1403(C), add a note to the Landscape Plan and provide the justification in the Statement of Justification.*

Response: Applicant has added a note to the Landscape Plan that states that a modification of the landscape island and tree requirements contained in Sections 5-1413(B)(3) and (4) will be requested for this landscape island. The Statement of Justification has been revised to add the justification for this modification request.

Staff Comment: *Add a note on the Landscape Plan indicating that a modification of the linear footage of the east side buffer yard will be requested and add justification for the modification to the Statement of Justification.*

Response: Applicant has added a note to the Landscape Plan that states that a modification

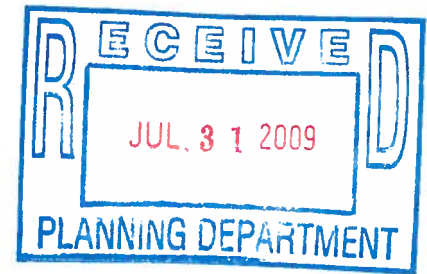
of the linear footage of the east side buffer yard will be requested. The Statement of Justification has been revised to add the justification for this modification request.

We believe that we have addressed all of the staff comments and we look forward to working with staff to resolve any issues that may remain.

Donohue & Stearns, PLC

By: M Colleen Canovas
M. Colleen Canovas

Attachments



July 30, 2009

Sophia Fisher, Planner
County of Loudon, Department of Planning
1 Harrison Street SE
Leesburg, VA 20175

Re: SPEX 2008-0030 T-Mobile Sterling

Dear Sophia:

T-Mobile Northeast LLC (T-Mobile) acknowledges receipt of various referral comments in the referenced land use application. This letter constitutes the response of T-Mobile as applicant to all comments received to date in connection with this application. Where the issue has been resolved we so state, and where applicable the revisions are also depicted on the enclosed revised Plat Sheets, three (3) full size copies are submitted herewith.

Our responses to the various referrals and issues are as follows:

DEPARTMENT OF PLANNING REFERRAL 05/14/09 (Sarah Milin, Senior Planner, Community Planning)

Staff Comment: *The proposed site is not considered to be one of the County's preferred locations for new commercial public telecommunication facilities as described in the Telecommunications Plan. Staff requests that the Applicant provide additional information demonstrating that alternative sites are not possible, including the Old Dominion University Building at Mirror Ridge and the Sterling Park Safety Center, in order to control the proliferation of telecommunications sites and to mitigate the visual impact of the proposed facility on the surrounding area. Information should also be provided demonstrating that the proposed facility has been designed to the minimum height necessary in order to explore*

other options, such as a stealth design church steeple or collocation on existing utility poles. Lastly, staff encourages the Applicant to meet with adjacent property owners and community and homeowners association groups in the area who may be affected.

Response: A. Staff recommends alternative locations for the facility at the Old Dominion University Building at Mirror Ridge and the Sterling Park Safety Center. As demonstrated by the attached propagation map, both recommendations are too close to existing on-air T-Mobile sites. In addition, both sites are outside of T-Mobile's desired coverage area.

B. Staff asked for information demonstrating that the proposed facility has been designed to the minimum height necessary. As our previously submitted propagation studies demonstrate, T-Mobile has designed the facility to the minimum height necessary to provide the necessary radio frequency coverage to T-Mobile customers in the area. T-Mobile explored using a stealth steeple design at the church, however the church was structurally inadequate to support a steeple facility. In addition, there are no sufficiently tall structures in the surrounding search area.

C. Meeting with adjacent Property Owners – Applicant will conduct a meeting with adjoining property owners and community associations in September or October 2009.

Staff Comment: ***Staff finds that although the Applicant has chosen a stealth light pole design for the proposed telecommunications facility, a negative visual impact will be created on the surrounding residential areas. Staff recommends that additional commitments be provided in order to mitigate the visual impact on the surrounding area to the greatest extent possible. A community meeting, as recommended above, could help further refine these recommendations.***

Response: A. T-Mobile has selected a stealth design in order to mitigate the visual impact on the surrounding homes. In addition, T-Mobile will commit to providing landscaping on the side and rear portions of the property to help minimize the visual impact.

B. Applicant will be conducting a community meeting in September or October 2009.

Staff Comment: ***Staff recommends that the Applicant commit to removing all unused related telecommunications facilities and ground equipment from the site within 90 days of cessation of commercial public telecommunications use or the expiration of the ground***

lease, whichever occurs first, and restore the site as closely as possible to its original condition.

Response: Applicant will commit to this recommendation of removal and has modified Note #14 on Z-1 to reflect that commitment.

DEPARTMENT OF BUILDING AND DEVELOPMENT, ZONING ADMINISTRATION
REFERRAL 05/07/09 (Nita Bearer, Planner, Zoning Administration)

Under Section II. Conformance with Section 5-618 Telecommunications Use and/or Structures

Staff Comment: ***On page 2 of the Statement of Justification, the applicant has indicated in 5-618(A)(5) that panel antennas shall not exceed 5 feet in height. The permitted height of panel antennas is now 10 feet.***

Response: Applicant has provided a modified statement of justification to reflect the new height limitations and has revised the plans to reflect the current permitted height.

Staff Comment: ***On page 4 of the Statement of Justification in Section 5-618(B)(3)(a), the applicant indicated that the compound will be concealed by a 7' wood fence. The Equipment Layout illustrated on Sheet Z-3 of the plat indicates that an 8' board-on-board fence is proposed.***

Response: Applicant has revised the Statement of Justification to indicate the corrected fence height, which is in fact an 8' board-on-board fence.

Staff Comment: ***Section 5-618(B)(3)(b) requires new telecommunication monopoles to be designed to accommodate at least 3 providers with exceptions. The illustration of the monopole on Sheet Z-3 provides space for two additional providers. As there is not sufficient area in the proposed location for expansion of the proposed compound, clarify whether there will be sufficient space in the compound to accommodate the equipment of two additional providers. The cabinets illustrated on Sheet A-3 are labeled for T-Mobile use.***

Response: Applicant has expanded the compound to show the space for 2 additional carriers.

Under Section III. Zoning Comments:

Staff Comment: *The proposed telecommunications facility will be located only on the parcel identified as MCPI 019-30-9383. All calculations must be based on the size of this parcel which is 1 acre or 43,560 sf.*

Response: Applicant has revised the plans to correct the parcel tax map number and size.

Staff Comment: *According to the plat, access to the site will be from the adjacent parcel identified as MCPI 012-35-1587. Clarify whether an access easement will be granted for the telecommunications facility.*

Response: Applicant will obtain an access easement from the property owner, which will be recorded prior to the site plan revision approval. Applicant has reflected the area of the access easement on the current plans.

Staff Comment: *Pursuant to Section 1-205(C)(1), the front yard shall be the portion nearest the street. Therefore, the proposed rear yard is not in compliance with Section 2-506(C)(3), which requires a 25' rear yard.*

Response: Applicant has revised the plans to reflect this change.

Staff Comment: *On sheet Z-1 and Z-2, correct the table of the building requirements of the CR-1 zoning district to reflect that, according to Section 2-509(B), the maximum permitted building height is 40'.*

Response: Applicant has revised the bulk tables located on pages Z-1 and Z-2 of the plans.

Staff Comment: *Because parking spaces will be removed to locate the telecommunications facility on the parcel, add a table of the parking requirements of each use to the plat, indicating the number of parking spaces required for each use and the number existing and proposed.*

Response: Applicant has added a parking tabulation to sheet Z-1 of the plans.

Staff Comment: ***Pursuant to Section 5-1414(B), the required width of the side and rear landscape buffer yards is 25' minimum, 30' maximum and the front buffer landscape buffer yard is 20'. Correct the illustration of the facility on the landscape plan providing the required buffer yards based on the yard nearest the street as the front buffer yard. Please note that, according to Section 5-1403(C), at the time of action on the special exception by the Board of Supervisors, a modification of the landscape buffer yards may be requested. The request must be included in the advertisement and the action must be included in the copy teste.***

Response: Applicant has revised the buffer yards on the plans.

Staff Comment: ***Correct the "Buffer Yard Type 4" table on the landscape plan to reflect the correct buffer yards and recalculate the required plantings. Also provide the linear footage of each buffer yard.***

Response: Applicant has revised the buffer yards and required plantings and has provided the linear footage of each buffer yard.

Staff Comment: ***On sheets Z1 and Z2, correct the table of the requirements of Section 5-618 to reflect that the required setback for a 199' monopole is 40' and the maximum permitted height of a panel antenna is 10'. Also remove the +/- from the proposed setback.***

Response: Applicant has revised the plans to reflect these changes.

Staff Comment: ***Add a note to the plat indicating that the site will be in compliance with Section 5-1504, Light and Glare Standards.***

Response: Applicant has revised the plans to add this note to sheet Z-1 (note 18).

Staff Comment: ***The illustration on Sheet Z-2 indicates that the landscape island located on the southwest side of the row of parking located in the center of the parcel will be removed. Section 5-1413(B)(3) requires a minimum 6' wide landscape island at the end of every row of parking, equal in length to the adjoining parking space.***

Response: Applicant has revised the plans to show the landscape island on sheets Z-1 through Z-4.

We believe that we have addressed all of the staff comments and we look forward to working with staff to resolve any issues that may remain.

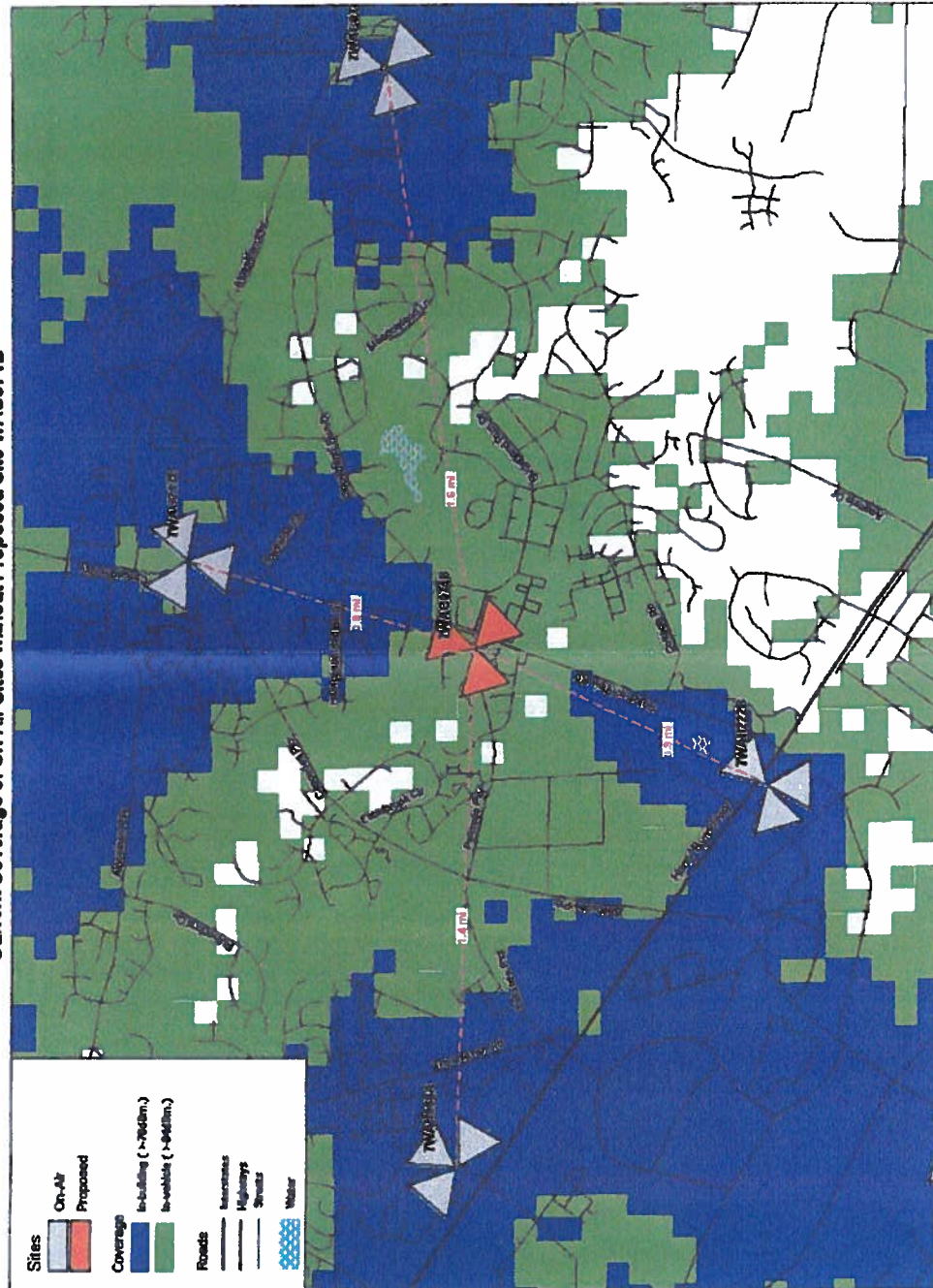
Donohue & Blue

By: M. Colleen Canovas
M. Colleen Canovas

Attachments

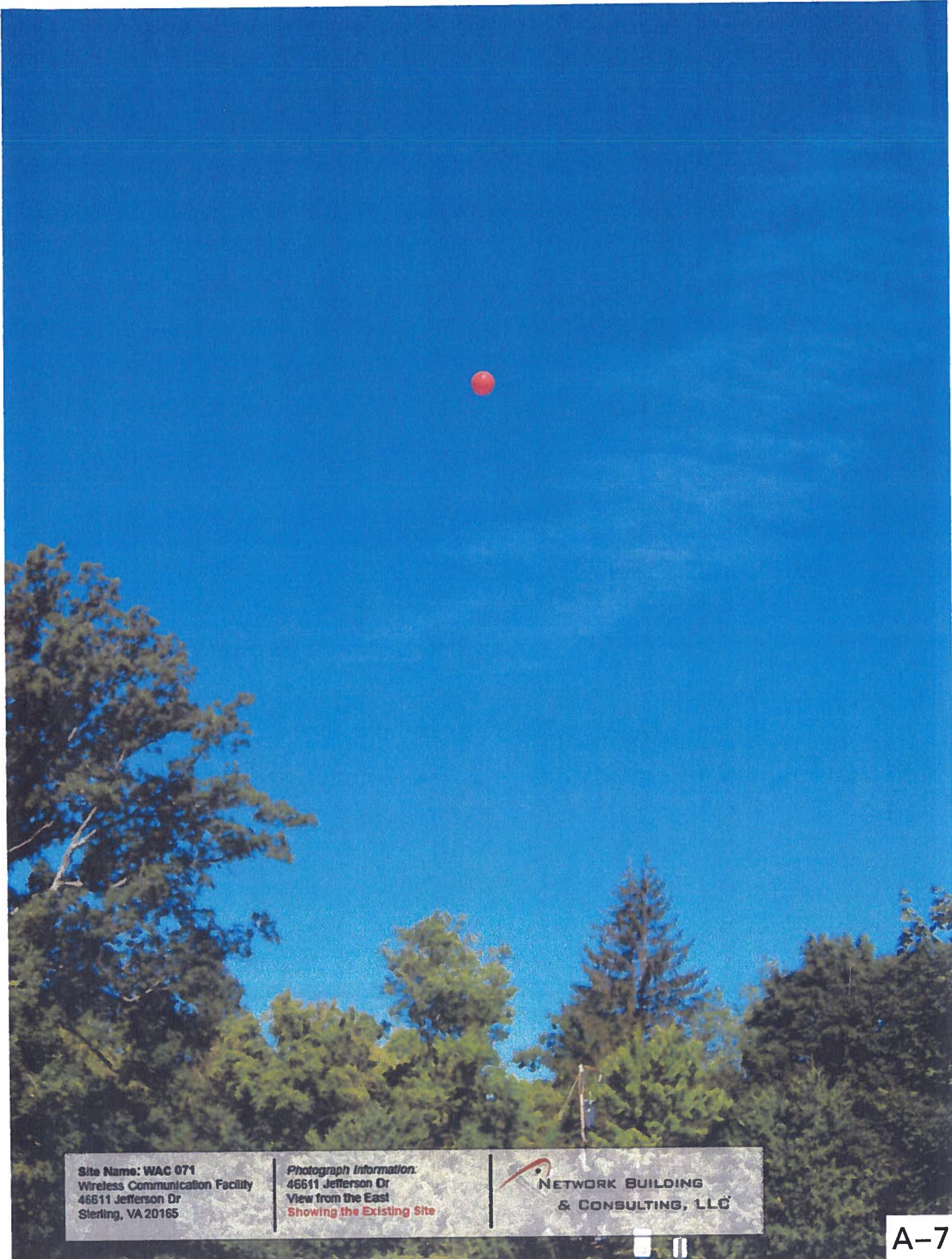
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Current Coverage of On-Air Sites without Proposed Site WAC071B



Future Coverage of On-Air Sites with Proposed Site WAC071B @75'



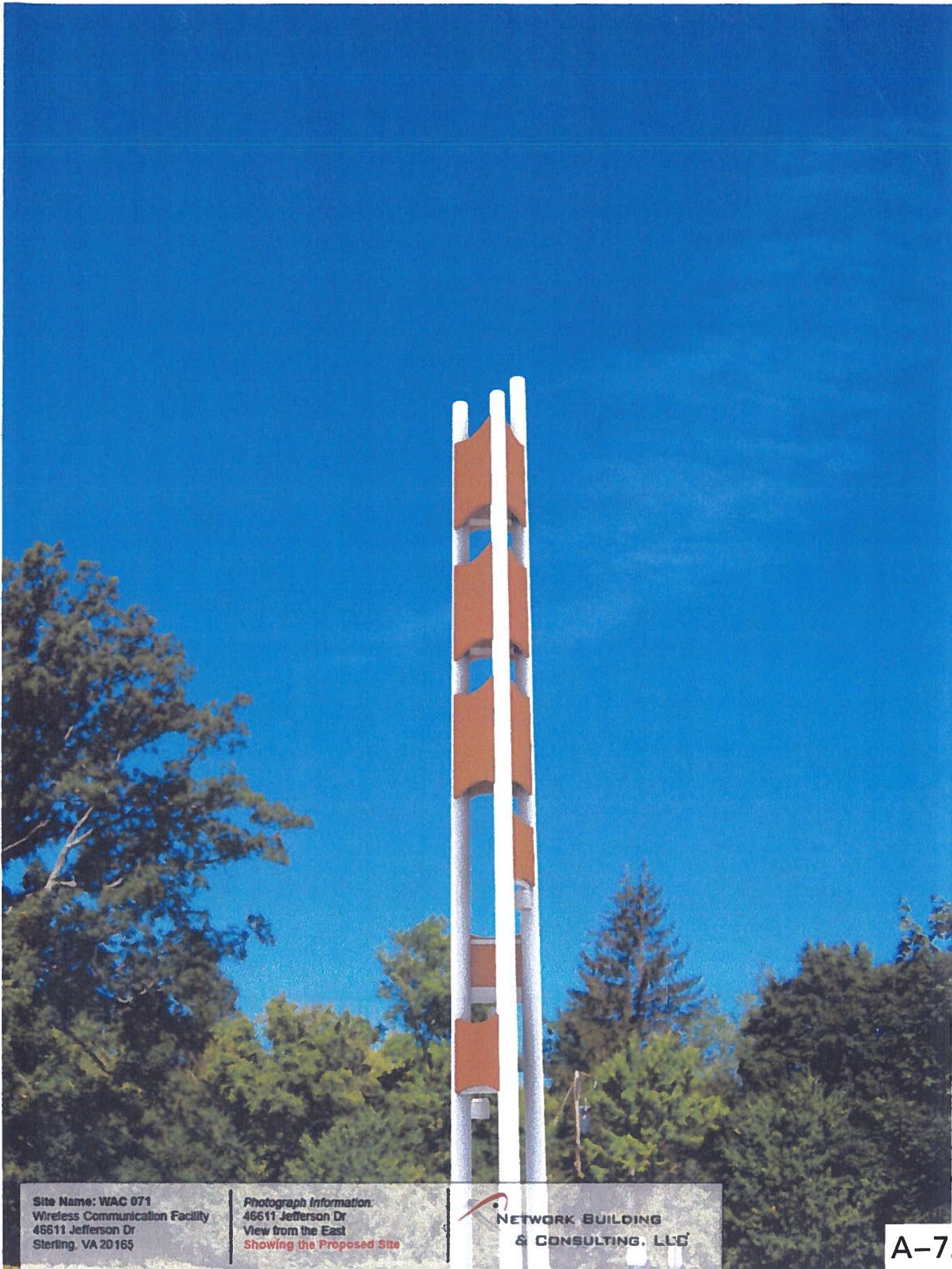


Site Name: WAC 071
Wireless Communication Facility
46611 Jefferson Dr
Sterling, VA 20165

Photograph Information:
46611 Jefferson Dr
View from the East
Showing the Existing Site



NETWORK BUILDING
& CONSULTING, LLC



Site Name: WAC 071
Wireless Communication Facility
46611 Jefferson Dr
Sterling, VA 20165

Photograph Information:
46611 Jefferson Dr
View from the East
Showing the Proposed Site




NETWORK BUILDING
& CONSULTING, LLC



Site Name: WAC 071
Wireless Communication Facility
46611 Jefferson Drive
Sterling, VA 20165


Photograph Information:
Proposed Equipment Are
From the North
Showing the Existing Site

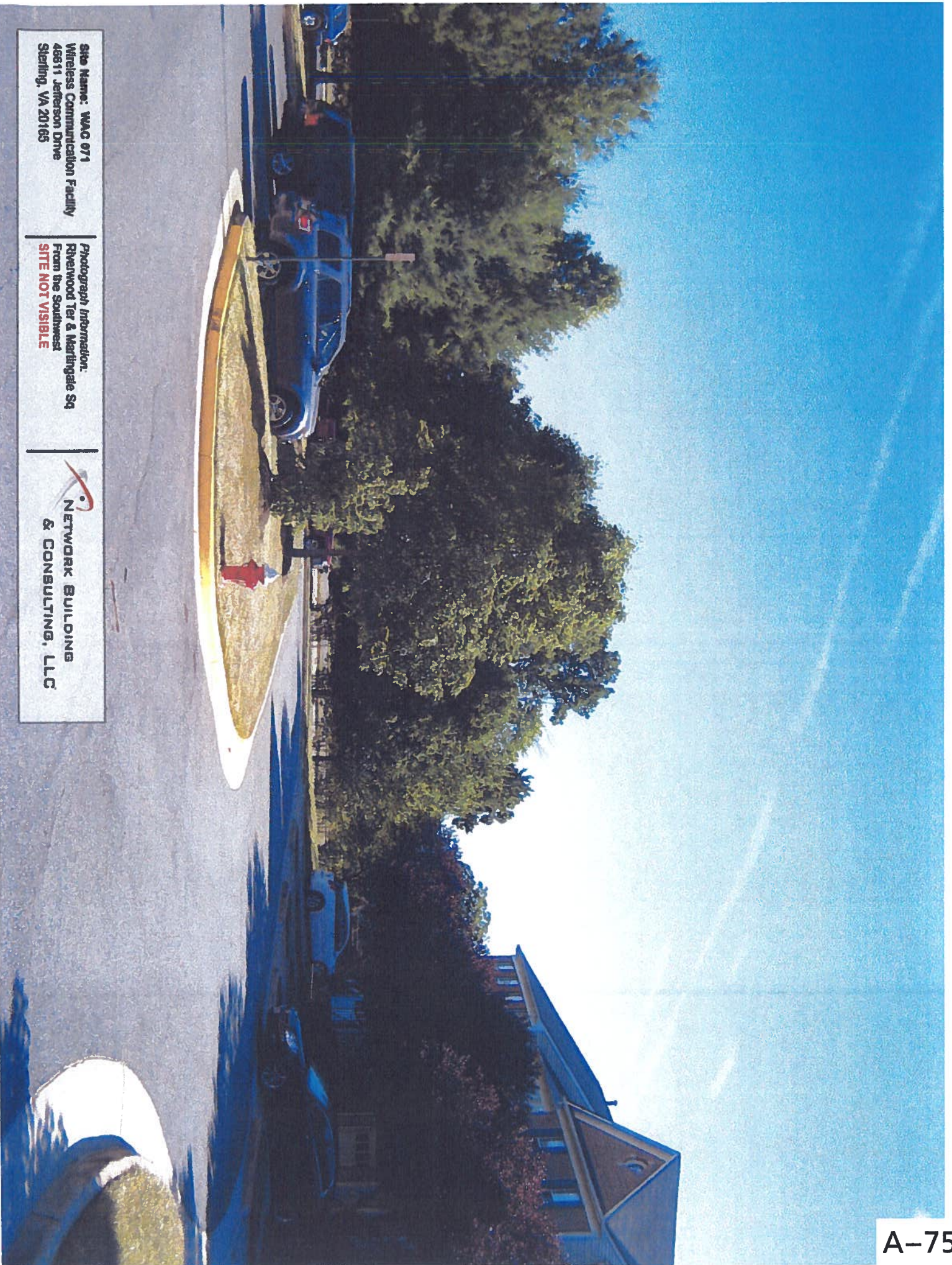
 NETWORK BUILDING
& CONSULTING, LLC



Site Name: WAC 071
Wireless Communication Facility
46611 Jefferson Drive
Sterling, VA 20165

Photograph Information:
Proposed Equipment Are
From the North
Showing the Proposed Site


NETWORK BUILDING
& CONSULTING, LLC



Site Name: WAO 071
Wireless Communication Facility
48811 Jefferson Drive
Sterling, VA 20165

Photograph Information:
Riverwood Ter & Merlington Sq
From the Southwest
SITE NOT VISIBLE

 NETWORK BUILDING
& CONSULTING, LLC



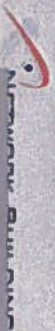
Site Name: WAG 071
Wireless Communication Facility
46811 Jefferson Drive
Sterling, VA 20165

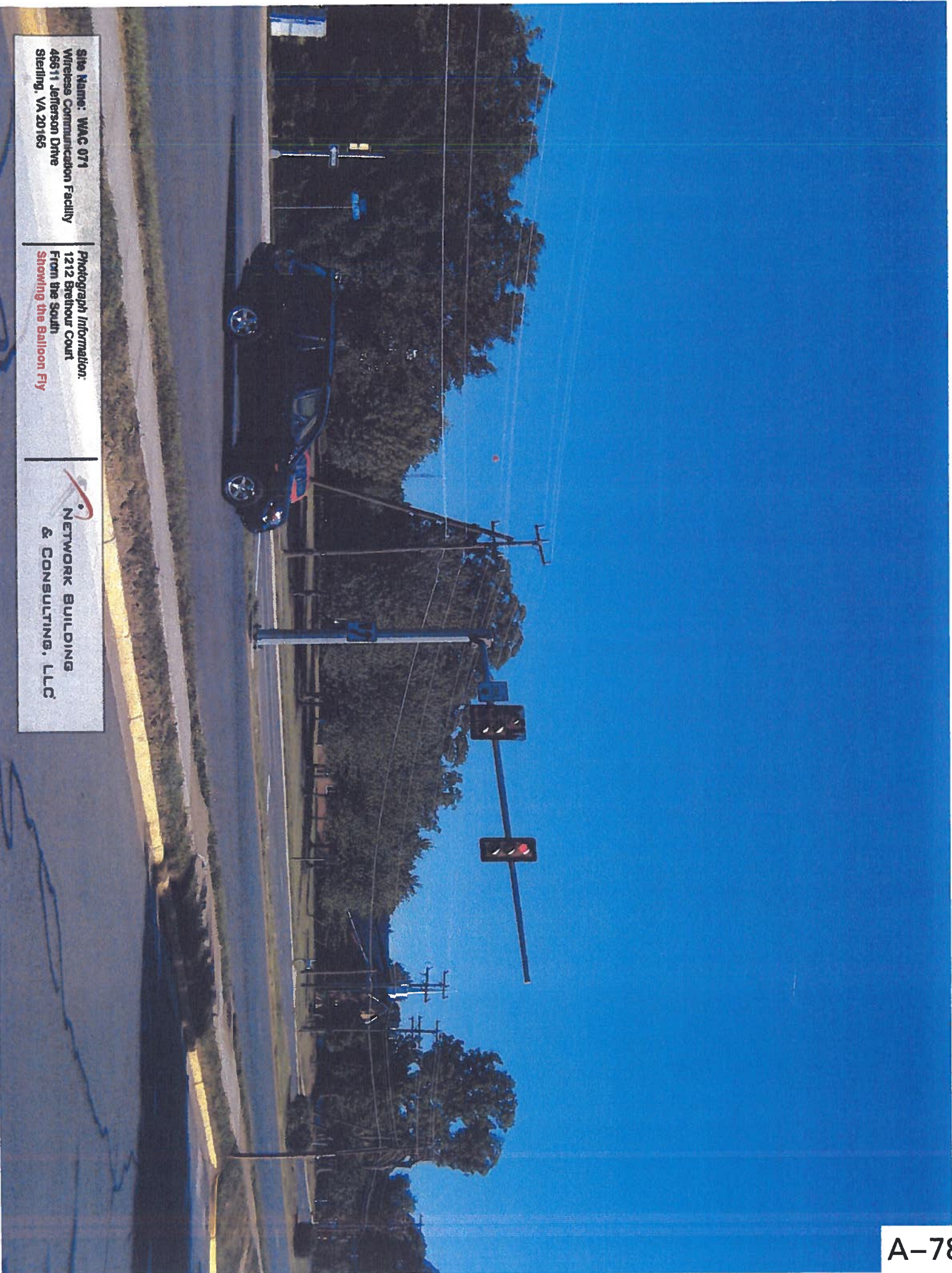
Photograph Information:
10 Crouch Street
From the West
Showing the Balloon Fly


NETWORK BUILDING
& CONSULTING, LLC

Site Name: WAC 071
Wireless Communication Facility


Photograph Information:
10 Crouch Street

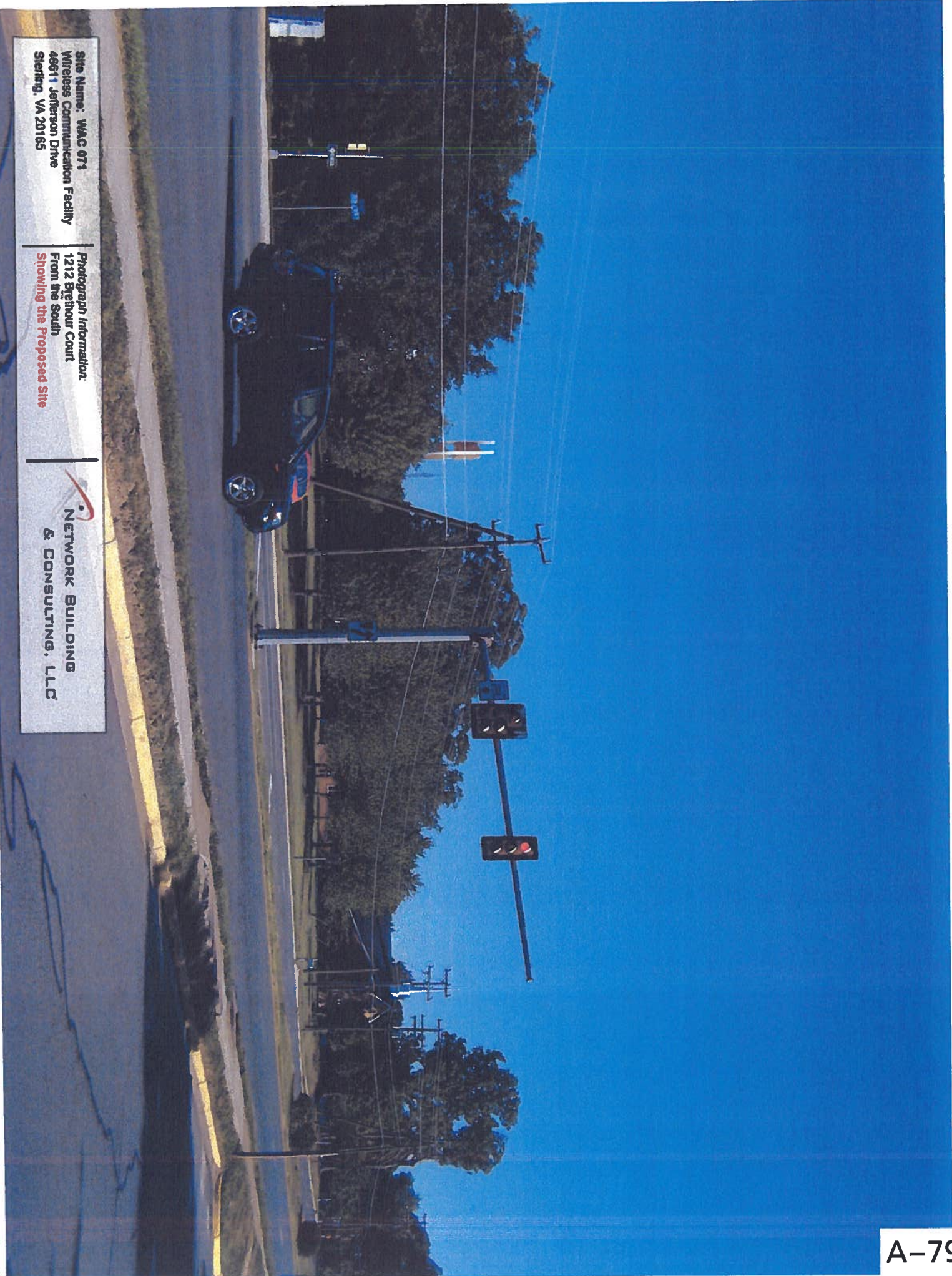




Site Name: WAC 071
Wireless Communication Facility
46611 Jefferson Drive
Sterling, VA 20165


Photograph Information:
1212 Brethour Court
From the South
Showing the Balloon Fly

 NETWORK BUILDING
& CONSULTING, LLC



Site Name: WAC 071
Wireless Communication Facility
46611 Jefferson Drive
Sterling, VA 20165


Photograph Information:
1212 Bighour Court
From the South
Showing the Proposed Site

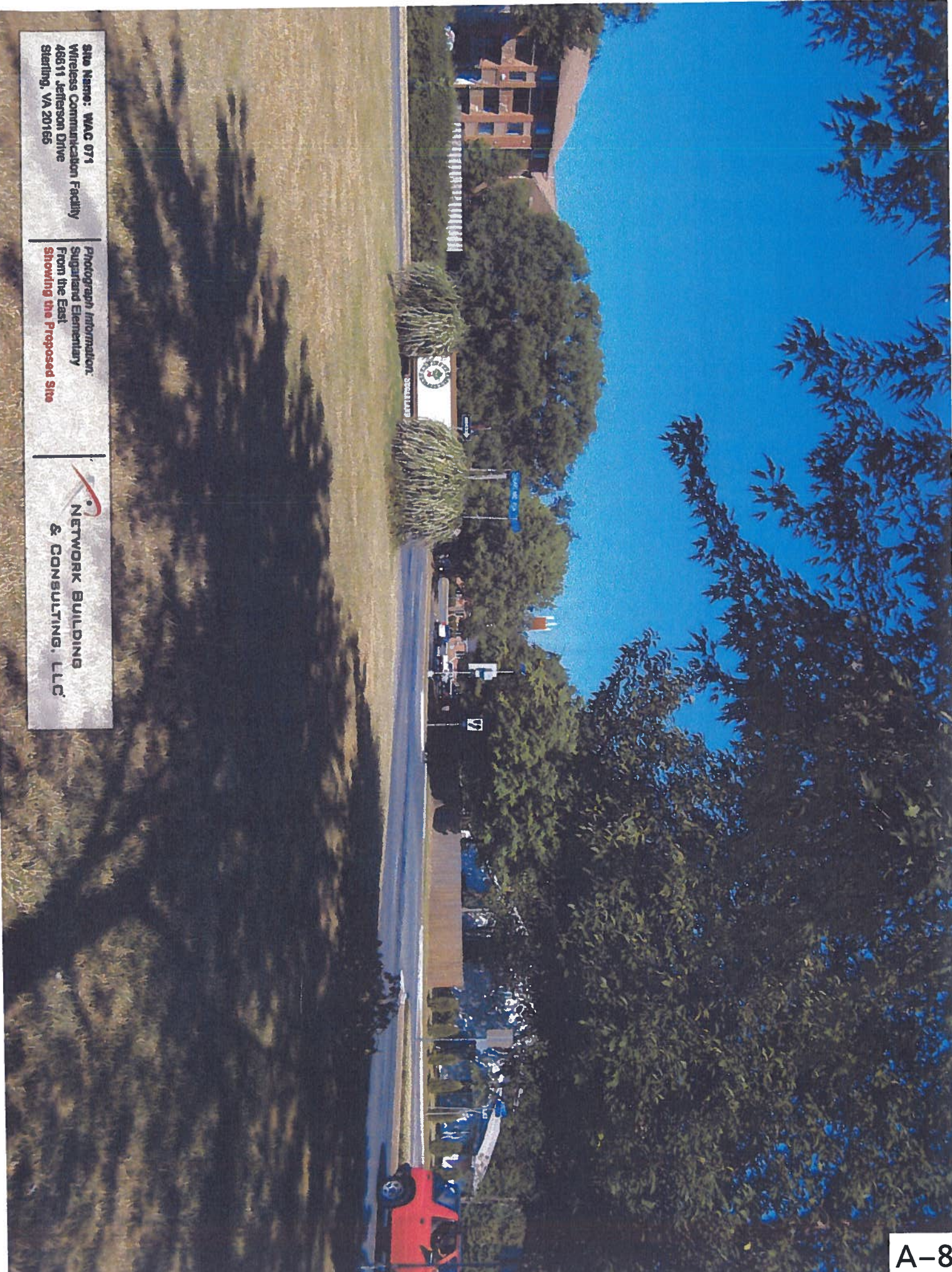
 NETWORK BUILDING
& CONSULTING, LLC



Site Name: WAC 071
Wireless Communication Facility
46811 Jefferson Drive
Sterling, VA 20166

Photograph Information:
Sugarland Elementary
From the East
Showing the Balloon Fly

 NETWORK BUILDING
& CONSULTING, LLC



Site Name: WAC 071
Wireless Communication Facility
48611 Jefferson Drive
Sterling, VA 20166

Photograph Information:
Sugarland Elementary
From the East
Showing the Proposed Site

 NETWORK BUILDING
& CONSULTING, LLC



Site Name: WAC 071
Wireless Communication Facility
46611 Jefferson Drive
Sterling, VA 20165

Photograph Information:
Oak Lane
From the North
SITE NOT VISIBLE

 NETWORK BUILDING
& CONSULTING, LLC

Site Name: WAC 071
Wireless Communication Facility
46611 Jefferson Drive
Sterling, VA 20165

Photograph Information:
Jefferson Dr & Crouch St
From the West
Showing the Balloon Fly

 NETWORK BUILDING
& CONSULTING, LLC



Site Name: WAC 471
Wireless Communication Facility
46611 Jefferson Drive
Sterling, VA 20165

Photograph Information:
Jefferson Dr & Crouch St
From the West
Showing the Proposed Site

 NETWORK BUILDING
& CONSULTING, LLC



RECEIVED
JAN 3 1 2011

BY:

January 28, 2011

T-Mobile Northeast LLC
c/o Colleen Canovas
201 N. Royal St. SE
Suite E
Leesburg, VA 20175

Dear Ms. Canovas,

On behalf of the Board of Directors, thank you for sharing the plans to construct a wireless broadband facility on the property located at 46611 Jefferson Drive, Sterling, Virginia, better known as Christ Our Savior Lutheran Church with the Cascades Board of Directors. The Board of Directors have reviewed the plans and support the construction plans as they were presented.

Should any changes to the plan occur from what has been presented to the board, they would like to be informed and included on those changes.

Sincerely,

Josh Harber, CMCA, AMS
General Manager

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